

Minutes of a Regular Town Board Meeting held by the Town Board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York on Tuesday, December 21, 1999, at 2:00 p.m.

Present:

Vincent Villella,	Supervisor
Philip Cardinale,	Councilman
Christopher Kent,	Councilman
Mark Kwasna,	Councilman
James Lull,	Councilman

Also Present:

Barbara Grattan,	Town Clerk
Adam Grossman,	Town Attorney

Supervisor Villella called the meeting to order at 2:00 p.m.

Supervisor Villella: The meeting is now open. Being that this is my last Town Board meeting up here at this seat, not sitting down there with George and the boys but I'll start off the Pledge of Allegiance."

(The Pledge of Allegiance was recited)

Supervisor Villella: "Thank you. Now we have a special guest. Zabbie, would you like to do something a little special for us for the Christmas season? You can sit down."

Councilman Kent: "But we can sit, too? We'll be on our feet in a minute though, cheering and applauding."

(Zabbie sung Holy Night)

Supervisor Villella: "Thank you very much. Okay."

Councilman Cardinale: "That does not count for church. However, you still have to go to church on Christmas."

Supervisor Villella: "We'll approve the minutes of November 3rd, November 16th and also the Special Board Meeting of November 18th and November 29th. That's right. Approves these minutes. They weren't here."

Councilman Cardinale: "Yeah, I would move to approve those minutes."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Okay. Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Villella, yes. Three yes."

Supervisor Villella: "Well, you were here for some of the meetings, but that's okay. Okay. We're going to do the proclamation right now. Phil, would you like to-- let's all go down. Lt. John--"

Councilman Cardinale: "The Supervisor has asked me to present this proclamation to Lt. John Blackley and it reads as follows."

(At this time, Councilman Cardinale read the Proclamation)

Lt. John Blackley: "Thank you."

Supervisor Villella: "Thank you."

Councilman Cardinale: "Vinny, we have another proclamation. As Vinny mentioned, this is his last meeting as a sitting Supervisor and as we do in all instances and I believe as we should have done for Mark who will also be leaving, I wanted to present on behalf of the Town the Town seal to Vincent G. Villella, Town Supervisor 1998 through 1999 in appreciation of dedicated service to the town. And I want to thank you for all your dedicated service to the town."

Supervisor Villella: "I appreciate that. The last couple of months I gave out a few of these so it's nice to have one for yourself. As I said before, I enjoyed the job, it was great meeting all kinds of people and trying to help out people wherever you can and I won't be leaving. I'll be here to help out wherever I can again, so I want to thank everybody, the supporters and even the people that didn't support me. I appreciate it. Thank you very much."

Councilman Cardinale: "Don't go away. I have something for Vinny from Chris and I and on behalf of others in the town and its importance or significance is not its attractive frame which Susan picked up this morning, but I think in the message that is in it. It

is a letter to the editor which appeared as far as I know out of nowhere on 6/17/99 in of all places, the Traveler Watchman, and it appeared there and it touched me when I read it and I thought to myself whatever way the election went-- we all know which way it went-- that I would present this to Vinny at the end of the year.

It reads as follows:

Dear Editor: In a two party democratic republic the opposing sides provide the tension resulting in the compromise that provide solutions for the greater good. This process requires maximum public participation to be successful. It won't work if one party becomes dominant because the tension collapses, government shifts to one point of view and progressively fewer people are satisfied with the actions taken.

This causes people to lose faith in the institution and drop their participation shifting the balance of power even further. The process drives itself. Third parties are the solution to the situation. They spring up from the ranks of the disempowered majority and provide the tension to bring balance and compromise to the political landscape.

They're always a coalition that cover a broad political spectrum because they essentially the rebirth of the whole process. They seldom last because tension can only last in two directions and the participants radically polarize to the parties they came from.

The Riverhead Party is a classic example of this genesis. In a shining moment two years ago the dissatisfied, disenfranchised, (inaudible) sat down together with the common purpose and demonstrated that the fundamentals of the American political system are sound and still work after two centuries. Cynicism and distrust were put aside and the direction of the government was determined by the actions of the (inaudible).

Riverhead owes a debt to these people. They stood up and did their civic duty for us all demonstrating that power we should all know we have and renewed our faith in the American political system. People do make a difference. Thank you.

I sincerely hope that this remains a strong lesson for us all that bad government is only allowed by the inaction of those governed. We truly have the power. Christian Larson (phonetic), Baiting Hollow.

As far as I know this individual I've never met. I do not know of any association he had with the Riverhead Party and I do not know why he wrote the letter. But I was touched by it and I wanted Vinny to have it as he left office. I also wanted to say, Vinny, that-- I'd like him to leave office with this thought. That despite the (inaudible, the pettiness which is as we all know up here a large part of politics, despite the toll it took personally and I'm sure financially on Vinny to serve the last two years, something important, something meaningful and significant took place on your watch and we thank you."

Supervisor Villella: "Thank you, Phil. I remember this when this was in the paper and it did touch me also because it's what I believe in and I will continue believing in it because everybody should have a say in this town. Thank you.

Okay, now we can go into the Reports. Barbara, can you please read the Reports?"

REPORTS:

Recreation Department	Monthly report for November, total collected \$6,294.00
Sewer District	Discharge monitoring report for November
Juvenile Aid Bureau	Monthly report for November
Open Bid Reports	2000 mini on 12/9/99, three bids were received - 1. Dyer Motors; 2. Ramp Chevrolet; 3. Riverhead Dodge, Inc.

Barbara Grattan: "That concludes Reports."

Supervisor Villella: "Thank you. Can you please read the Applications?"

APPLICATIONS:

Site Plan	Van De Wetering - temporary greenhouses
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Site Plan	Riverhead Commerce Park Lot #8 to construct an 8567 square foot office building
Site Plan	Splish-Splash - a parking lot expansion
Site Plan	Meeting House Creek Inn - a canopy enclosure
Fireworks Permit	Town of Riverhead Community Development Agent - December 31, 1999 at 9:30 p.m.

Barbara Grattan: "That concludes Applications."

Supervisor Villella: "Can you please read the Correspondence?"

CORRESPONDENCE:

Gayle Haas	Concerned about the lack of no parking signs across from CK's Deli on Northville Turnpike
Jody Adams	Regarding Freedom of Information Law
Rick Schuessler (along with) Anne Schuessler Gerard Murphy Daniel M. Gianfalla Mary Oleksiak Joseph Van De Wetering	Objecting to the erection of the cell tower on the property of the Baiting Hollow Boy Scout Camp
Henry Lee and Diana Ponzini	Regarding Riverhead Center
Petition	21 names from the Subdivision Duck Pond Estates requesting the removal of a refrigerator truck from premises located in sub-

division

Barbara Grattan: "That concludes Correspondence."

Supervisor Villella: "Thank you, Barbara. Any Committee reports?"

Councilman Cardinale: "Yesterday-- everybody will be excited to learn, Cablevision finally responded and we met on the Cablevision proposed contract which has been in their possession since September 24th. It was discussed and it is likely that I think it will be pursued in the next month and, hopefully, we are moving towards signing a contract. If you don't know it, we haven't had one since 1994. Although I haven't been particularly missing it, we have not had a contract with our cable provider since then."

Supervisor Villella: "Thank you. Any other Committee reports? Well, I know the Handicap Committee, we will have a resolution on the table I think next week we'll be having that, George, because we have to have a discussion on it first and then we will go into it. What we're trying to do is have the sign uniform throughout the whole town, blue with the white (inaudible) around it with the wheelchair permitted. Chris, was there anything else that was on there that we-- "

Councilman Kent: "On the handicap?"

Supervisor Villella: "Yeah, the one I brought up yesterday."

Councilman Kent: "Well I think that we just have to discuss it."

Supervisor Villella: "We're going to have the discussion and we want to have it town-wide to have the same signs because right now we have three or four different signs in the town and I'd like to see the town have just one sign for handicap and make it uniform. George, you have anything to say? Could you come up to the mike? We can talk about it later then."

George Richmond: "Don't go unless the light says go ahead, go. First of all, I'd like to wish everybody a happy holiday season."

Councilman Kent: "Adam, could you help-- give him the microphone?"

Supervisor Villella: "No, no, he doesn't need any help. He can do anything, that guy. George can do anything."

Councilman Kwasna: "You're got to turn that other one on, Barbara."

Supervisor Villella: "I don't think it's on."

George Richmond: "My name is George Richmond. I'm from Jamesport. I'm Chairman of the Handicap Volunteer Advisory Committee. I was appointed four and a half years ago. And four and a half years is very difficult for a committee to get out and do a lot of things. They're not in the same position I'm in. I can be in my car, I have all the accessibility of my seat turning where I can transfer from my chair to my driver's seat and I can drive around. My co-chairman does not have that privilege. He has to have somebody drive him, that's why he's very rarely here."

Mark Kwasna was a big help to us. Chris Kent was a big help to us. You've been a big help to us. I was listening to the Pledge of Allegiance and I like the last few words, liberty and justice for all. Senator (inaudible) up in the New York State Senate sits on the Committee for the Handicap and he was sitting on so long that I've asked Pat Acampora and Ken LaValle-- I think they should really get a doctor to check out these callouses that he's got on his butt, he's been sitting on for so long.

No matter where you go throughout the United States, any state you go to, is the international handicap sign and that is blue with the white piping, with the white wheelchair, handicap parking printed above it and permit required printed below. Mark, we've discussed that so many times and you know that you, too, have agreed with that. You'll be leaving us in one way but you'll be helping us in another because from that chair you go to another chair to print those signs.

I'm just hoping that the new councilman that takes your place, the new supervisor, our former town attorney, I know they're here today, and Councilman Lull has heard everything for four and a half years and Mr. Kent and Mr. Cardinale all understand one thing. If we standardize one sign, the international sign, we have helped justice for all of the handicapped people. Right now every sign says everything but what it's supposed to say. It's every color but what it's supposed to be. I am hoping and I am feeling again like I did last time, if I have to kneel down for you, I will and I'll pray to

you if I have to, please, when you fellows meet in the beginning of the year on this amendment, change the code, please accept the international sign as the only handicap parking sign that will be available to not just Riverhead but Riverhead township. Because all the other townships are changing. Why are we going to stay behind? Let's catch up. Thank you very much. I wish you all a happy holiday. To you, Mark, again, thank you for everything you've done. Good luck on your new job. Councilman Lull, it's nice to see you back from vacation and I'll be talking to you during the coming year. And, Mr. Cardinale, I don't know what to say."

Councilman Cardinale: "I'll be here."

George Richmond: "I'll be sitting alongside of you in church. Chris, I'll talk to you later."

Supervisor Villella: "George, I just want to say one thing. Next Tuesday at the work session we're going to be talking about this. I wish you would be here if you could make it."

George Richmond: "What time is that?"

Supervisor Villella: "It's 1 to 4, is the work session. So, we'll try and make that the first. All right."

Councilman Kent: "And, George, just to let you know on this resolution, the first action that I think we're going to have to take is to call for a public hearing. Because this is going to be an amendment to our town code so it would require a public hearing. So, just to let you know, we can't go straight into passing the resolution. It's going to require a public hearing before we pass it."

George Richmond: "Well, I'm not (inaudible) because I don't want to do that. All this was submitted once before and it was supposed to have been passed. Why it didn't get passed, I don't know. A couple pieces of paper, but it didn't get down-- "

Supervisor Villella: "I think we did a public hearing on this earlier in the year."

Councilman Kent: "Okay, well if we have then we can act upon that public hearing if we have had one already."

Supervisor Villella: "Jack, Jack, don't go too far."

George Richmond: "I'm not an attorney but I don't understand why you need a public hearing on changing the color of a sign."

Councilman Kent: "Because it requires an amendment to our code."

Adam Grossman: "George, if we're going to be doing it by amending the town code, any change in the town code requires a public hearing. So that's what the board is, I think, leaning towards doing, is rather than doing it by resolution, doing it by a code change. So if that's the case, then that's how we have to do it."

George Richmond: "I like arguing with Chris. I don't like arguing with you."

Adam Grossman: "Okay."

Councilman Kent: "And I don't mind it."

Councilman Lull: "George, saying that putting more words in the code and everything needs a public hearing is one thing. We really want it enforced. If it's not in the code, it's not enforced by the police officers. The police officers can't enforce it if we don't have a public hearing."

George Richmond: "That's what I like (inaudible)."

Supervisor Villella: "We're going to get the process going in the right direction, George."

George Richmond: "Thanks a lot."

Supervisor Villella: "Thank you. Okay, so that's it for Committee reports?"

Councilman Cardinale: "Yes."

Supervisor Villella: "Yes, you can come to the mike."

Zabbie Chamberlain: "I'm Zabbie-- "

Councilman Kent: "Yes, pull that up."

Zabbie Chamberlain: "I'm Zabbie and I'm here as Steering Committee Chairperson for the Public Access Television Association and I'm very happy I'm here, God brought me here, and thank you, Vinny, for asking me to sing. I appreciate that. And I guess-- I didn't expect to speak, but with the news that Phil announced I need to speak and I wish very much that you would take my statement into account. Especially I like Vinny's attitude that everybody has a right to have a voice in this town and so many of you may be watching Public Access Television, Channel 27 here in Riverhead-- do we have any (inaudible)?"

Supervisor Villella: "Oh yeah."

Zabbie Chamberlain: "And many of these town board meetings are broadcast on Channel 27 and I just wanted to present with my testimony-- I include in this a letter that was written by our group, August 4th, to the Honorable Phil Cardinale and talking about some of the hopes and concerns that we have about Public Access Television and since you brought up that the franchise agreement may be-- wanting to sign that in the next month-- I would like very much to ask all of you to allow the Public Access Television Association to be present at the negotiations, to have a representative present or a couple of them, so that we can make our voice and vision heard and would that be possible, to be in on the-- "

Councilman Cardinale: "Yeah, there is a-- "

Zabbie Chamberlain: "For us-- I mean as for me, for instance, I would like to be and I have a couple other people on the Committee-- "

Councilman Cardinale: "Do you know Lou Turner (phonetic) of the Public Access group?"

Zabbie Chamberlain: "I took his place."

Councilman Cardinale: "Right."

Zabbie Chamberlain: "He's no longer in that-- I took his place."

Councilman Cardinale: "Okay."

Zabbie Chamberlain: "Yes. This letter is from Lou Turner-- "

Councilman Cardinale: "Right."

Zabbie Chamberlain: "-- and I now have taken his place as Steering Committee Chairperson."

Councilman Cardinale: "Right. I have met with him. He was instrumental in writing the Public Access section of the proposed agreement and I have also met with the Public Access group at my office several months ago. We we will be glad to have their participation-- to answer your question, yeah. I'm glad to see they have a new generation of leadership and I'm glad to continue to work with them. Because I know that is the group that cares most about what you all see on Channel 27 and I'd be glad to work with you."

Zabbie Chamberlain: "Yes, thank you. And when will the next meeting be set up-- "

Councilman Cardinale: "Middle of January."

Zabbie Chamberlain: "Okay."

Councilman Cardinale: "And I'll let you know when it is, Zabbie."

Zabbie Chamberlain: "Okay, great."

Councilman Cardinale: "Thank you."

Zabbie Chamberlain: "And one thing, too. I also think the Public Service Commission meeting-- workshop that they gave on the same (inaudible) and one of the things that they pointed out-- and I want to applaud Vinny and all the Supervisors in the eastern five towns for holding out this long on the contract. I think it was (inaudible). And Mr. Canuscio (phonetic) of Southampton also is (inaudible) with me and the group as far as getting some competition in there so Residential Communications Network, telecommunications company that is competing and would like to break the monopoly of Cablevision-- they are willing to come in and perhaps give you a better deal on the franchise agreement which would mean lower taxes for the residents of Riverhead."

Councilman Cardinale: "Zabbie-- "

Zabbie Chamberlain: "Because they're willing to negotiate for

telephone-- for actually internet service."

Councilman Cardinale: "Okay. What I'd like you to do if you would because you're not aware of this but the audience is as is the Board, at the end of the meeting there is public comment. Since this was related to the Board report I know that's why you came up. But if you could either stay until the end and then continue to comment or give me what you have, I'll be in touch with you in any event."

Zabbie Chamberlain: "Okay."

Councilman Cardinale: "So-- and that will allow us to go on. We have some public hearings that are scheduled to begin at 2 and we're a little late already."

Supervisor Villella: "We're running late."

Zabbie Chamberlain: "Then I will. I will stay later and then add on to-- and I'll leave it for now."

Councilman Cardinale: "Thank you."

Supervisor Villella: "Okay, thank you very much."

Public Hearing opened: 2:43 p.m.

Supervisor Villella: "Okay, let the record show the time of 2:43 has arrived. Can you please read the first public hearing?"

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York at 2:10 p.m. on December 21, 1999 for the consideration of the special permit petition of East End Commons Association to allow the construction of an 11,537 square foot addition to an existing commercial land use located at Route 58, Riverhead."

Supervisor Villella: "Thank you, Barbara."

James Rockford: "Good afternoon, Mr. Supervisor, Members of the Board. I have the proof of the posting and mailing that I'd like to turn in to the secretary."

Supervisor Villella: "Okay. Ask for his name. Yes, on the-- "

James Rockford: "My name is James T. Rockford from the firm of Meyer (inaudible) Klein, representing the owner of East End Commons. I have with me this afternoon James Milliken (phonetic) who is part of Nelson & Poke (phonetic), the site development engineers, as well as Paul (inaudible) who is the real estate manager for BJ's.

As you know from the notice that was published, we're requesting an expansion of 11,537 square feet to the BJ's building which will increase the northerly end of it by 9,000 some odd feet, increase the entire center by another 2,300 feet-- 1,500 feet rather, and the entranceway by 512 feet. This has been presented to the Planning Board and their recommendation has been to approve it based upon the fact that this Board has the special permit powers under the code provided we meet the parking requirements for the site. We do meet the parking requirements for the site at present and will meet it at the time of the expansion. The current parking is sufficient to take care of the expansion.

I know that you have a tight schedule this afternoon so I'm going to limit myself to those opening remarks. If there are any questions, Mr. Milliken can answer them."

Supervisor Villella: "Okay. Appreciate that. Thank you very much. Anyone else like to speak on this public hearing? We could close it. See how quick that was. The time is 2:45. We declare the public hearing closed."

Public hearing closed: 2:45 p.m.

Public hearing opened: 2:46 p.m.

Supervisor Villella: "The time of 2:46 has arrived. Can you please read the next public hearing?"

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York at 2:15 p.m. on December 21, 1999 for the consideration of the purchase of development rights of 33.975 acres of agricultural lands owned by Robert Krudop, located on Sound Avenue, Riverhead."

Supervisor Villella: "Okay. I was wondering where Peconic

Land Trust was-- hiding in the back. Might as well stay up for all three of them then. We're going to do one right after the other."

Julie Wesnofske: "Supervisor and Members of the Board, I'm Julie Wesnofske, Peconic Land Trust. This hearing this afternoon is to consider the sale of development rights on the parcel outlined in yellow here. It is 33.975 acres, the price will be \$8,830 per acre for a total price of \$300,000. The town has an appraisal which was completed by (inaudible) on September 29th, actually supports the price of \$9,006 an acre.

This property is located on the north side of Sound Avenue. It has generally been planted in corn and other field crops. It is adjacent to the North Fork Hunting Preserve so it provides a very nice buffer between that property and neighboring residential areas.

In the process of negotiating with the landowner, the landowner has agreed to accept a price lower than the fair market value of the development rights as stated in the appraisal. This arrangement is known as a bargain sale and is a tool we use frequently in our (inaudible). In this case, the landowner will receive a charitable gift for the difference between the fair market value of development rights and the price he's actually accepting. So it benefits the landowner as he can use the charitable gift to offset ordinary income tax or capital gains and in this case it will save the town approximately \$6,000. So I think it's a very good deal for the town, and for the landowner.

As you can see, it's just across the street from a large parcel of already protected land, so it helps to keep a large continuous (inaudible) together."

Supervisor Villella: "I want to thank Bob, too, on this, the owner is back there. Anyone else like to speak on this public hearing? Steve?"

Steve Haizlip: "Steve Haizlip of Calverton. I would like to inquire if this land that you're considering is wooded. The reason I'm asking for that is because if it's not agriculture then nobody is going to be paying any taxes and my concern which you already know about taking this land and purchasing for wide open spaces, people will walk off with a pocket full of money but old Steve will come and pay the taxes on it later. Now that's the question that I have and I'd like to have an answer."

Supervisor Villella: "I just want to say one thing. Steve, I know where you're coming from with that but also you've got to remember, if that was built out and you had say 100 homes on that, you'd be paying more out of your pocket. So in the long run it helps out but I know where you're coming from.

Hoot, would you like to-- "

Hoot Sherman: "It's not wooded, it's open space, it's farmland, it's (inaudible) crops and there is some nursery crop on it. So it's open. It's not wooded."

Supervisor Villella: "Okay, thank you. George?"

George Schmelzer: "Is this land being farmed now? Someone said no, someone said yes."

Supervisor Villella: "Let's get it on the record. It's being farmed out."

George Schmelzer: "What type of farming?"

Supervisor Villella: "What are you looking at me for, George?"

George Schmelzer: "I'm supposed to look to you. If I look the other way you say-- "

Supervisor Villella: "No, no, no. That's all right."

Councilman Lull: "He just told you, George."

Supervisor Villella: "He just said-- "

Hoot Sherman: "Corn and nursery."

George Schmelzer: "Is the corn to feed animals for hunting or just-- "

Supervisor Villella: "It could be."

George Schmelzer: "That's what it is?"

Supervisor Villella: "I have no idea."

Hoot Sherman: "Yes, it's field corn."

George Schmelzer: "For what purpose? To sell or just to feed the animals to hunt?"

Hoot Sherman: "-- feed the animals."

(Unidentified): "The corn is harvested (inaudible, from the audience)."

Barbara Grattan: "Can you put that on record?"

Hoot Sherman: "It's harvested; it's taken to Mattituck where it is processed and some of it is brought back (inaudible)."

George Schmelzer: "So it's really just for an animal preserve really, right? They harvest the corn, bring it back again and feed the animals."

Supervisor Villella: "Whatever you say, George."

George Schmelzer: "And we have to pay \$200,000 for this? That really makes sense. Now this farmland mistrust-- whatever they call it-- I call it farmland mistrust, I get letters from the jerks and they say we've got to save the farms. They come with everything but they don't mention one thing which you don't and nobody mentions, about the RAS--IRS assessment when a farmer dies. They assess it for the highest and best use. So many times the farm has to sell part of their farm to pay the tax at a sacrifice price, then the farm becomes less efficient and they have to get rid of it. That makes sense. Really, a bunch of assholes."

Supervisor Villella: "George. That wasn't called for."

George Schmelzer: "What?"

Supervisor Villella: "That wasn't called for."

George Schmelzer: "Well, this isn't called for either."

Supervisor Villella: "Would you like to sit down?"

George Schmelzer: "Some of the things you say are not called for either."

Supervisor Villella: "That's fine."

George Schmelzer: "You said one time you're pissed off. Was that okay when you said that?"

Supervisor Villella: "Was it at a Town Board meeting?"

George Schmelzer: "You said it, yes, right there. Don't tell me you didn't. I remember it."

Supervisor Villella: "George, what are you yelling for?"

George Schmelzer: "I'm getting a little angry with this nonsense. Really."

Supervisor Villella: "Good. I hope you continue it then."

George Schmelzer: "Okay, then. They should ask the IRS to use a different system. Do you want me to whisper?"

Councilman Cardinale: "No. We want you to come back on January 4th is what we want you to do."

George Schmelzer: "Yeah. I'll be here anyway. So farmland owned by a farmer who dies while it's being farmed by him or a tenant, should be assessed for farm use only, farm use value. Later on the heirs decide to sell it, the government gets its tax then. To me a lot of this is all fakery. Maybe part of a plot to destroy our system from the inside just like some of these environmentalists do."

Supervisor Villella: "The farmers agreed with this. This is something that-- "

George Schmelzer: "Well, they get money for nothing. They'd be a sucker, wouldn't they? If you give it to them."

Supervisor Villella: "Fine, George, thank you."

George Schmelzer: "Yeah. I want to say one more thing-- "

Supervisor Villella: "Need the words of wisdom."

George Schmelzer: "-- these kooks, these environmentalists, the Traveler Watchman editor he really put out a good editorial for them."

He put (inaudible). I think you read it this past week. That's what they are, couldn't do a better job, I'd like to congratulate him. Thank you."

Supervisor Villella: "Thank you, George."

George Schmelzer: "Yeah."

Supervisor Villella: "Anyone else like to speak on this public hearing? If not, the time is 2:48, I declare the public hearing closed-- 2:54-- I can't even read."

Public Hearing closed: 2:54 p.m.

Public Hearing opened: 2:54 p.m.

Supervisor Villella: "Might as well go into the next one. We've got two more for you, George."

Barbara Grattan: "Now you have to open it."

Supervisor Villella: "I did. 2:54 the public hearing opened."

Barbara Grattan: "I have affidavits of publishing and posting for a public hering to be held at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York at 2:20 p.m. on December 21, 1999 for the consideration of the purchase of development rights of 24.7 acres of agricultural lands owned by Louis Carraciolo, Jr. located on Herricks Lane, Jamesport."

Julie Wesnofske: "This is the property oulined in yellow. As you can see, it's a very irregularly shaped parcel so we're going to do a couple things here. We're looking at selling development rights on 24.7 acres of property even though the property as a whole is closer to 34 acres. We're going to leave this portion that is located on Herricks Lane amongst other residential structures out for future development. It makes much more sense for the community and (inaudible). The development (inaudible) will be sold for \$7,600 an acre at a total price of \$187,710. The town has an appraisal from (inaudible) dated November 3rd which supports this.

This property is located just on the west side of Herricks Lane

and is currently planted in nursery stock and it's part of a much larger block of farmland that stretches south from Sound Avenue down to the Main Road and west from Manor Lane over to Herricks Lane. So the preservation of this parcel definitely helps maintain the integrity of this entire larger mass of farmland.

As you can see by the parcels which have been highlighted in green, there are a number of protected properties already in that area and as well at this present time we're talking with the owner of the parcel directly adjacent to it and as well as the two parcels directly adjacent to it on this side so we're very optimistic about the prospects for preservation in this area and putting a large block of farmland together."

Supervisor Villella: "Okay. Thank you, Julie. Who would like to speak on this public hearing?"

George Schmelzer: "You invited me before. Now you said you've compared this to houses. I guess that you're against people then, aren't you?"

Supervisor Villella: "George, you can say what you want to say but that's absolutely wrong."

George Schmelzer: "Well you said it yourself."

Supervisor Villella: "I didn't say anything. I said I don't want any houses built on farmland if I could stop it."

George Schmelzer: "Well, that means you're against people, aren't't you? Where are they supposed to live, in the woods? If somebody needs a-- I wonder what you'd say if all politicians would say if all builders refused to build houses?"

Supervisor Villella: "That's not what I'm saying, George."

George Schmelzer: "Oh, it takes care of the needs of the people, we've got to do something about this."

Supervisor Villella: "We have 800 homes in front of us right now. There's going to be a lot more."

George Schmelzer: "Yeah."

Supervisor Villella: "Do you know how many people that brings?"

George Schmelzer: "Yeah, so where-- where do you suggest that they go?"

Supervisor Villella: "What do you mean, where do they go?"

George Schmelzer: "Well, you don't care. As long as they don't go here, huh?"

Supervisor Villella: "That's not what I said."

George Schmelzer: "Well, what do you mean then?"

Supervisor Villella: "You're the one that's doing the talking. I'm just listening."

George Schmelzer: "You mentioned before about we don't want a hundred homes. Who said there would be a hundred homes?"

Supervisor Villella: "Three on an acre."

George Schmelzer: "This land that you are giving money away on, they don't have to sell it for homes if they don't want to."

Supervisor Villella: "But they are."

George Schmelzer: "Oh, they are."

Supervisor Villella: "That's why we have 800 homes in front of us. And there's a lot more coming, George. So I'd rather buy up the-- "

George Schmelzer: "What do you-- where should the people go?"

Supervisor Villella: "That's their problem where they-- "

George Schmelzer: "Oh, that's their problem."

Supervisor Villella: "They could go wherever they want to go."

George Schmelzer: "Except here, huh?"

Supervisor Villella: "George, you should talk. What about all

the property you own--"

George Schmelzer: "I hear this nonsense all the time."

Supervisor Villella: "Excuse me. What about all the property you own in the pine barrens that you just sold to the county and everything."

George Schmelzer: "I didn't sell anything to the county."

Supervisor Villella: "Well, you would like to."

George Schmelzer: "No, I didn't. I never said that."

Supervisor Villella: "Trying to get those credits up."

George Schmelzer: "No, no, no."

Supervisor Villella: "Okay. We won't go there. It's okay for you but not for everyone else."

George Schmelzer: "Yeah."

Supervisor Villella: "Thank you, George."

George Schmelzer: "No. I'm not done yet."

Supervisor Villella: "Well, go ahead, you can speak."

George Schmelzer: "Okay. How much land in Riverhead do you-- we take off the tax rolls now?"

Supervisor Villella: "It's up to the-- no, we need a tax base. That's why we need Riverhead Center built. We need a tax base."

George Schmelzer: "Why don't you-- "

Supervisor Villella: "Why don't I what?"

George Schmelzer: "How about Talmages? Why don't you get that done?"

Supervisor Villella: "There can be a couple conditions. They could build tomorrow if they want."

George Schmelzer: "Well, why don't you get it done? Why don't you get it done? Why are they hanging on for a month for?"

Supervisor Villella: "They would like to do it when I'm out of office instead of when I'm in office."

George Schmelzer: "You mean they told you we don't want it done now?"

Councilman Cardinale: "Yes, they did. They gave an adjournment letter to the town indicating that they did not-- they adjourned their-- our vote until at least January 14th. So that indicated they wanted a vote in the new administration."

George Schmelzer: "But Riverhead Center, that's been going on for two years, nothing's done."

Supervisor Villella: "Well, lawsuits, that's right, George."

George Schmelzer: "Well, some people-- if you sue the state or the county and it obstructs the road construction, they're responsible for the damages. Maybe they should be responsible, too, (inaudible)."

Supervisor Villella: "That could happen while I'm here."

George Schmelzer: "Now we've got a lot of environmentalists out here that moved in. I suggest-- "

Supervisor Villella: "Excuse me, George. As a quote, environmentalists-- the whole-- there's a lot of them that are okay on the project. There's a only a small handful that are against it. So don't go labeling people with--"

George Schmelzer: "Well, why are they against it? I suggest again that they practice what they preach. They knock their house down, plant trees and grass, move back where they came from. Of course, we've got double the population since World War II. What are people going to do? Move to another country?"

Supervisor Villella: "We're getting off the-- George, we're-- excuse me, we're getting off the subject of-- the public hearing is on the farmland. George-- "

George Schmelzer: "As long as they don't live there, it's okay,

huh?"

Supervisor Villella: "George, George, thank you for your words of wisdom."

George Schmelzer: "Yeah."

Supervisor Villella: "Anyone else like to speak on this public hearing? If not, we declare this one-- 3:00-- we declare this one closed, too."

Public Hearing closed: 3:00 p.m.

Public Hearing opened: 3:01 p.m.

Councilman Cardinale: "Let's go."

Supervisor Villella: "Let the record show the time of 3:01 has arrived. Can you please read the next one?"

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York at 2:25 p.m. on December 21, 1999 regarding the consideration of the purchase of development rights of 17.4 acres of agricultural lands owned by Alan Zilnicki, et al, located on Roanoke Avenue, Riverhead."

Supervisor Villella: "Thank you."

Julie Wesnofske: "This property under consideration for sale of development rights is owned at this present time by Alan Zilnicki and a variety of family members. A sale of development rights is being pursued with the full cooperation of the current owners by a contract vendee who will be purchasing the property (inaudible). So the town in this case will actually be going to contract (inaudible). They are-- a contract is signed and will close shortly on the property and as soon as possible after that transaction will sell their development rights to Riverhead town.

It will be a sale of development rights on approximately 17.4 acres. About four or five acre portion of the property has existing structures on it which they will leave out of the development rights

and that will enable them to be able to be able to fix them up in the future if they need them or build some new structures. They're interested in having a winery so they need structures to make that process work.

The price is \$8,965 an acre, for a total price of \$155,991. And this price is also supported by an appraisal from (inaudible). This property is located on the east side of Roanoke Avenue. It's currently in active production as a potato farm and as I said before will be put into vineyards. So this is a case where the current owners aren't able to continue farming it but because of this opportunity it will still be (inaudible). And (inaudible) protected lands in the immediate area."

Supervisor Villella: "Okay, great. Thanks, Julie. Anyone like to speak on this public hearing? Okay. We'll close this one at 3:03, the public hearing is closed."

Public Hearing closed: 3:03 p.m.

Public Hearing opened: 3:04 p.m.

Supervisor Villella: "Let the record show the time of 3:04 has arrived. Can you please read the public hearing?"

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York at 2:30 p.m. on December 21, 1999 regarding Island Water Park whether it should be designated the qualified and eligible sponsor for the redevelopment of approximately 40 acres of vacant land at the Agency-owned Calverton site."

Supervisor Villella: "Thank you, Barbara. Yes, Tom."

Tom Rothman: "For the record, I'm Tom Rothman. I'm a partner in Wilke, Farr and Gallagher, the law firm that represents the Community Development Agency in this matter. Before we begin, we thought it would be helpful for your benefit and the benefit of the audience to explain precisely why we are here and what this hearing is about.

We are here to consider the transfer, the sale of parcels of land

at the former Calverton Naval Weapons Reserve Plant facility. The facility was transferred by the United States Navy to the Town of Riverhead Community Development Agency. As part of the act of Congress, it was transferred to have the CDA provide for the economic redevelopment of this land for the benefit of the residents of the Town of Riverhead. We believe economic redevelopment means job creation, tax revenue generation and preservation of the quality of life.

The prior Town Board, not this Town Board but a prior Town Board, tried to de-politicize any potential issues about the sale of the land and created what is called the Riverhead Development Corporation and appointed to that Development Corporation various town citizens for the purpose of hiring professionals to seek out the best possible alternatives for redevelopment and the best entities and individuals to perform that redevelopment.

In furtherance of that, a master plan and economic development model, if you will, was prepared and passed and enacted by a prior Town Board. Bobby Goodale, the Chairman of the Riverhead Development Corporation is here to speak to you in a minute.

The actual use or the purpose of this public hearing is a required public hearing-- required by New York State law as a pre-condition to the transfer of any property that is owned by the Town of Riverhead Community Development Agency for this purpose. The Town of Riverhead Community Development Agency in order to transfer property to an individual corporation, partnership, etc., must determine that they are a qualified and eligible sponsor. Those are the terms of the statute.

We believe that to determine an entity is a qualified and eligible sponsor you must consider the experience of the developer, the ability of the developer to perform the economically development activities that they say they will perform, the ability to perform other activities. You must consider the purchase price; you must consider the tax impact of the proposal; you must consider the (inaudible); must consider the capability to acquire financial resources to redevelop the proposal and must consider the proposed use is consistent with zoning. The property has been rezoned.

The Riverhead Development Corporation has retained for a request for a proposal process, real estate experts to advise it in connection with (inaudible)."

(Some inaudible discussion among the Board members.)

Tom Rothman: "And Bobby Goodale, President, will address you now to explain what that process-- and after he finishes we'll get into the particular pieces of land."

Supervisor Villella: "Thank you, Tom. Bobby?"

Bobby Goodale: "(inaudible) on the role of the RDC in the development of the Calverton facility leading up to today's public hearing and I would like to take this opportunity to present this and I would also like to thank the Supervisor-elect, Councilman-elect who are here because I think it's very important that this be seen as an ongoing Town project that will be continuing come the year 2000.

The RDC was formed after a process that led to a land use plan developed by the firm of HR&A for the Town. That was adopted by a previous Town Board and at that time, Riverhead Development Corporation was formed composed of business people in the Town of Riverhead along with economic redevelopment professionals from the area, both from Riverhead and from the surrounding communities, the County of Suffolk and the State of New York.

In their process of economic redevelopment, Riverhead Development Corporation has been helped by the firm of Grubb and Ellis which on the basis of an (inaudible) process was chosen by the Town to be their real estate advisor and broker for this property. Grubb and Ellis is a national brokerage firm that has advised the RDC and the Town on the redevelopment process over these past years. And also by the firm of Wilke, Farr which has advised the Town on various legal matters for many years.

The goal that has been already mentioned was to market this property in the manner consistent with the direction set by the Town, first of all by the land use process and under the three criteria that were mentioned to generate revenue for town operation, to create jobs particularly jobs that would as best as possible replace those quality jobs that were lost when Grumman left the area, and to do this in a way that is consistent with the Town's and the general community's quality of life.

Over the past years, we-- the RDC has received dozens of proposals to evaluate. The basic criteria that we use to evaluate these proposals was first of all was for (inaudible) use consistent

with the land use plan, were the people who presented these proposals financially able and also able otherwise to carry out their proposals in our estimation, and, thirdly, was the-- were the economic terms consistent with market conditions. Most of the proposals that were evaluated by the RDC did not meet these criteria. Those that did, at least in a minimum degree, were passed on to the Town for their consideration. The RDC is solely a body that recommends to the Town through the Community Development Agency for their consideration and we have passed to the Town a number of proposals over the years, some of which we have recommended against and some of which we have recommended for (inaudible).

Most of the proposals that are (inaudible) were recommended to the Town by the RDC as being consistent with Town goals and (inaudible) and presented by organizations able to carry out their proposal. And I would say that since the time that these were originally recommended to the Town, the RDC remains unanimously in support of both these proposals and with that I'll turn it back to Mr. Rothman to go into the details on the two proposals."

Tom Rothman: "I think we need to do one at a time since you have the first public hearing as advertised in connection with the designation of Island Water Park Corporation as a qualified and eligible sponsor. This involves the transfer of approximately 40 acres of land at \$17,000 per acre for an aggregate price of approximately \$680,000 for redevelopment by Island Water Park Corporation for outdoor recreational use. At that point I open it up to them."

Supervisor Villella: "Thanks, Tom. Charlie, did you want to speak?"

Charles Cuddy: "Charles Cuddy for Island Water Park Corp. Just to elaborate a little bit on Mr. Rothman's-- this parcel, approximately 40 acres, is located southwest (inaudible) of the entire parcel. Probably would not be used except for this type of use. It's in a district that's known as the Planned Recreational Park District, it's a sports park subdistrict. And what it would be used for and I think many people here are aware of Island Water Park's operation, they will have two ponds of approximately 2,000 feet each. They will use them for a membership water club with members from surrounding towns and in particular from Riverhead. They will pay taxes on the property. They will not-- to answer a question which will perhaps be raised-- there will not be mining there, there will be a one time

excavation for approximately 15 feet in depth. The ponds will be filled-- "

Supervisor Villella: "Which we get fees out of."

Councilman Cardinale: "Right."

Charles Cuddy: "-- they will use them on a seasonal basis probably from April to October and they have a club. They're ready to proceed, would like to proceed with their site plan as quickly as possible. They have been before this Board before, they have been before the Planning Board previously. They're the same people. They've agreed to pay an appropriate price for the land. They're financially capable of doing that. I've been representing them for two years in this project and they're ready to go ahead. The principals are here if you have any questions of them. Thank you."

Supervisor Villella: "Thank you, Charlie. Anyone else like to speak on this? Yes. Sandy-- Sandra."

Sandra Mott: "Good afternoon. Sandra Mott, Riverhead. How are you all?"

Supervisor Villella: "Fine."

Sandra Mott: "I just had one question or two-- maybe three. Is there a map that we can look at? You're saying the southwest corner. I'd like to see what (inaudible). And has the DEC gone along with the use of this property? That's question number two. It was referred to as going to preserve the quality of life. I'd like to know of who-- the wildlife in the area. And as George indicated before, reverting on the use of farmland preservation money, is this the highest and best use of that particular parcel? And are these the same people who were not wanted by any other community? And how come they're ending up in Riverhead?"

Supervisor Villella: "Sandra, on that I can answer that. It wasn't-- in that area that they wanted to put it, that wasn't invited. It was invited in other areas in the Town."

Sandra Mott: "Okay. Is there a map that we can all look at? Because-- "

Councilman Kent: "There's a map on the wall in the hallway."

Sandra Mott: "There's no map available for the public to see."

Councilman Kent: "It's in the hallway."

Sandra Mott: "Viewing this at the end of the week?"

Councilman Kwasna: "Right outside."

Councilman Kent: "No. It's in the hallway. It's posted right outside the door."

Supervisor Villella: "It's right out-- "

Sandra Mott: "Maybe the next administration could consider that element, that being an availability of viewing on the screen for the future. That would be really appreciated."

Councilman Kent: "But I'm telling you, the map is on the wall. It can be viewed. It's right outside that door to the-- "

Sandra Mott: "I heard you three times."

Councilman Kent: "Okay. All right."

Sandra Mott: "Thank you so much. What about the noise, the traffic, the disturbance of nature? If that's been all taken into consideration on that particular parcel. And I will go and view your map when you've answered-- "

Councilman Kent: "It's not my map. I'm just-- I'm answering one of your questions. I thought you really wanted to view the map."

Sandra Mott: "Yeah, I do. But I think a lot-- "

Councilman Kent: "Okay, so I was telling you where it is."

Sandra Mott: "-- of people who can't come to Town Hall and who view this on television might very well like to be able to see what these people are preparing to do to a particular parcel of property. \$17,000 seems to me to be rather a bargain. I have personally been looking for property in the Town of Riverhead and that's a big bargain. I wish I could get a few acres."

Councilman Kent: "It's not my map."

Supervisor Villella: "Sal? Why don't you put your initials on it?"

Sal Mastropolo: "Sal Mastropolo, Calverton. I have two quick questions. One is is Island Water Park associated with any kind of Mastercraft boat dealership? And, two, does the zoning of that piece of property preclude them from any sales activity on that property-- of boats?"

Supervisor Villella: "He can't be serious, it's recreational."

Sal Mastropolo: "I was just asking a question because I thought I saw some kind of an advertisement for Island Water Park as a Mastercraft boat dealer."

Councilman Kent: "I don't believe that's-- "

Supervisor Villella: "We have a boat dealer going--"

Sal Mastropolo: "Are they associated?"

Supervisor Villella: "No, two different animals."

Sal Mastropolo: "Okay. Thank you."

Supervisor Villella: "Anyone else like to speak on this? Steve?"

Steve Haizlip: "Steve Haizlip of Calverton. It's been mentioned about providing jobs. I'm wondering if this here Island Water Park is going to be similar to a gun club in Providence, Rhode Island. The only jobs that was available was when it was being built. After that, the members took over and they go and come, operate, shoot, so forth and what have you. Is that probably going to be something similar to this right here?"

Councilman Kent: "Yeah, this is part of the recreational zone which is-- one of the objectives in the recreational zone-- the objectives do not include creation of jobs. That is part of the industrially zoned property. The creation of jobs is an objective in industrially zoned property. This is part of the recreationally zoned property."

Steve Haizlip: "That's a little bit different (inaudible)."

Supervisor Villella: "George. By the way, George, they're going to be putting new seats in the boardroom and new rugs and everything so you'll have a nice comfortable seat for you."

George Schmelzer: "New seats. New boardroom, huh."

Councilman Kent: "And the proposal is to make them a little bit larger because we were noticing-- we were noticing some change."

George Schmelzer: "Is this the boardroom? The Water Park has been refused by the town already in another spot. Did you do it on purpose so they can apply for the Grumman area just so you can sell it?"

Supervisor Villella: "I think the people that live in the area were concerned about where it was, in their backyard and everything. Here it doesn't-- there's no one there, George."

Councilman Lull: "George, they asked for a zoning change and we refused it."

George Schmelzer: "Huh?"

Councilman Lull: "They asked for a zoning change prior and we refused the zoning change."

George Schmelzer: "Oh, yeah? I don't know why. If it was for yourself, the town would do what they want for zoning. You (inaudible) in developing Grumman. So what are they going to do? Dig a hole 15 feet deep or something? I don't understand. That's what they're going to do. Dig the ground out 15 feet deep."

Supervisor Villella: "That's what he said."

George Schmelzer: "Why don't you tell him to go to the land south of Grumman there. It's called Grumman Blvd. Now there's an old subdivision there. It's about three or feet to water. Private land, they could dig that out; wouldn't have to dig as much. It would be better. Of course, you wouldn't want that. You want to get rid of Grumman land so it won't be an airport. You didn't have guts enough to put it to a referendum to let the people decide whether it should be an airport or not, the last two elections. I don't know why. Stark didn't do it either. I don't know what (inaudible) that is. But 15 foot deep, huh. They don't call that a hazard."

Supervisor Villella: "Well, it's a hell of a lot better than the 100 feet deep that's right alongside that's being done illegally."

George Schmelzer: "One hundred feet deep. Where?"

Supervisor Villella: "Calverton Industries."

George Schmelzer: "That's not water though. That's not water 100 feet deep, is it? You mean you're comparing this to a sandmine?"

Supervisor Villella: "There's not supposed to be sandmining. We prohibit sandmining in the Town of Riverhead by State law. And they're doing it. But it's in court now."

George Schmelzer: "Oh yeah? Well, the (inaudible) make out all right."

Supervisor Villella: "I hope the Town makes out very well, too."

George Schmelzer: "And, so, if we need-- Suffolk County (inaudible) you can't mine it, where are you going to get it? Oh, let them get it from somewhere else. Everybody knows you (inaudible). Before we had this crazy zoning, people used to get sand out of a hill when it was (inaudible). Now they look at the zoning map where they can get a permit or make it half legal, dig it out, farm or not. Of course, in this pine barrens they've got these useless hills. That's a good place for sandmining."

Supervisor Villella: "George, we have to stick to Island Water Park."

George Schmelzer: "Well, how many acres will they dig out?"

Supervisor Villella: "They said 40."

George Schmelzer: "I suggest they go to-- "

Supervisor Villella: "How many acres are they digging out? No, no. Overall probably is 40 acres."

George Schmelzer: "Well, how many acres are they digging out?"

Supervisor Villella: "I think they said-- how many yards was

it, 200-- 200-- yards."

George Schmelzer: (Inaudible)

Supervisor Villella: "It's only 40 acres, George."

George Schmelzer: "I suggest that they go to a place that's almost a swamp, useless, and dig it out there instead of wasting good land."

Supervisor Villella: "Okay. We have that on the record. Thank you, George."

George Schmelzer: "Okay, you're very welcome."

Supervisor Villella: "Anyone else like to speak on this public hearing? Bill."

William Kasperovich: "William Kasperovich from Wading River. (Inaudible) about this-- words I've been listening for, I don't hear. This is the creation of an artificial body of water, a body of stagnant water. This brings concerns from several directions. The stagnant body of water will invite insects, various algae, various water-borne disease. Now (inaudible) artificial body of water that is somebody's swimming pool in their backyard. Now, I don't have to go into the description of what people have to do to maintain this swimming pool full of water. It gets quite expensive.

Now here we're going to multiply this several hundred times and its use is not going to overcome stagnancy. This point I consider to be very serious and should be addressed as one of the major concerns."

Supervisor Villella: "Bill, I'd like to-- I would like to have someone address that because it is a concern and it's your concern. Can someone address that, about the stagnant water from the-- yes. Before you-- okay, continue. But I'd like to hear the answer myself."

William Kasperovich: "This past summer many people got frightened by the mosquito borne diseases. We know the (inaudible) area we have a mosquito (inaudible). And-- "

Supervisor Villella: "It's a concern, you're right, Bill. But I'd like to get the answer."

William Kasperovich: "This is an artificial body of water (inaudible)."

(There was some inaudible discussion among the Board members)

William Kasperovich: "-- have applied to bodies of water where (inaudible) last summer-- a township picnic and (inaudible) one of our neighboring townships and I couldn't get near to the water because they had security guards around. (Inaudible) Well, for safety problem. This body of water (inaudible)."

(There was some inaudible discussion among the Board members)

William Kasperovich: "So this then will go on and on all because of an artificial body of water and how it has to be prevented, if it is to be prevented at all. Thanks."

Supervisor Villella: "Thanks, Bill. Thanks for your concern. Can you answer Bill's questions?"

Eric Scott: "My name is Eric Scott. I'm the President of Island Water Park. Bill's question is mainly mosquitoes. We will be aerating the water with our boats-- 300 horsepower aeration. Couldn't get a better aeration system than a boat. There's lakes all over Long Island, there's lakes all over the country that don't even have that and I don't see the problem so ours will only be that much better. I mean ski parks are all over the country and it's not a concern. There will not be any mosquitoes. There will be less mosquitoes than any other lake because the water will be aerated and as you know we are in a lake right now and you go there 12 months out of the year and there's no mosquitoes. The water is crystal clear. It was great, it was too small."

The same concerns that we had at the other piece on Youngs Avenue, which I thought we had answered most of them, if not all of them, and it's basically the same moving from Youngs Avenue to the Calverton property. Aeration and plus I would think that that would part of, you know, the site plan as far as that. You know, we're not even at that point and (inaudible). So that is a concern that we did look at and (inaudible) the boats are aerating. They said four months of the boat aerating is better than 12 months of a normal pump that you would use to aerate water, so-- "

Supervisor Villella: "Is that something that's documented? Do you have any written-- "

Eric Scott: "Well, I've given the town literature on aeration and showing what a ski boat does to lakes and showing how aeration of a ski boat helps the water tremendously. I've given, you know, the (inaudible), I think all five Board members literature on that."

Supervisor Villella: "All right, good. Thanks. Anyone else like to speak? Rolph?"

Rolph Kestling: "Rolph Kestling, Wading River. I'm going to ask the same question I asked on the Calverton-- on the site in Calverton-- off Youngs Avenue. Where's all this water coming from?"

Eric Scott: "You mean (inaudible)."

Supervisor Villella: "Come up to the mike again."

Eric Scott: "We had two options at the last site which was either going to be (inaudible) water or we were going to be buying it from the Town of Riverhead. I would think that the site plan-- "

Supervisor Villella: "Most of this is all site plan."

Eric Scott: "We had two options, those were the two options."

Rolph Kestling: "Because, you know, filling up two lakes is going to take a lot of water and I said last time it has to be replenished. Summertime, evaporation. I hope the Town looks into that, too, because that's a hell of a lot of water. And, you know, you're putting in new pumps, new wells and everything and sure as hell are going to put in another one for that."

Supervisor Villella: "We've got a couple of wells we could give him some water from, huh? The ones that we can't use, Chris? Sandra?"

Sandra Mott: "Sandra Mott, again, from Riverhead. I did look at the map and the map does not clearly (inaudible). As a matter of fact, I had to have Leroy Barnes of your Building Department come and look at the map and he had to go to your actual plotted map to your various town areas to help determine-- he couldn't tell by looking at it because it's not properly identified."

Councilman Kent: "What couldn't you tell, I'm sorry, say that again. The-- "

Sandra Mott: "The perimeters."

Councilman Kent: "Oh, the perimeters. Okay."

Sandra Mott: "And I feel even more uncomfortable with this potential plan because I notice that on the map that it indicated that the Town's proposed park is going to be adjacent to it."

Councilman Kent: "To the north."

Sandra Mott: "I know formerly the concerns of the neighbors were the fact of children gaining access to that property either during their actual uses either spring, summer, fall season or off peak time. Is this property going to be completely fenced in if this is going to be adjacent to a town facility-- a town park, with us being liable for the loss of life or injury? I mean I think considerations need to be made. Is it as dangerous if not more so than the sump area up on Edwards Avenue that originally didn't have fencing and then it was brought to your attention. I think that should be seriously looked into."

And I'm in agreement as to the concerns of water borne diseases, malaria, as well as the West Nile and whatever the water borne diseases. Because that's-- they're only going to use certain months of the year. I know that even in our backyards, those warm days, there are mosquitoes and other kinds of insects coming back because it's been warmer. You can't say that the boats are going to be there aerating 24 hours a day and if that's what their plan is, you know, that's another issue. How are they going to protect the community, the Town of Riverhead, from litigation as well as the actual (inaudible). So the map is out there and it's not properly identified and it needs to be larger and I really-- I'm not quibbling over who did what when, but I know when I watch the different town hall meetings throughout the east end of Long Island, Southampton, the maps are plastered on the board. East Hampton, Southold, I'm sure that we can have that map. Ask the potential developers to be enlarged so that everyone could clearly see it and it be reviewed by Town officials and make sure it is properly identified so that I don't have to accidentally run into Leroy to help me identify what we're talking about. I thank you very much for your time."

Supervisor Villella: "Thanks, Sandra. George? You want to speak on-- "

Councilman Kent: "Do they want to answer any of the questions about fencing and-- "

Supervisor Villella: "We might have to do it-- "

George Schmelzer: "If I remember correctly the town forbid them to use the Peconic River one time."

Councilman Kent: "The river? You mean this group?"

George Schmelzer: "Yes."

Councilman Kent: "I think they were put out of one of the creeks out in the Jamesport area."

George Schmelzer: "Why? They can use the Peconic River-- we've got a lot of (inaudible) under water-- I don't care if they use the water. I don't care. Let them use-- it's a big area water west of the (inaudible) dam. Big acreage. They can use that. I don't object to using their own land under water. I don't care if they go to the water there. How about it? It would save them a lot of money, too. Wouldn't have all this bureaucracy. It would be cheaper for them. If people come there from the city to do fishing, they throw the fish back. It's all right for them, so sounds a little nutty to me. People don't like to eat the fish, they're afraid they might shine in the dark now. I don't know. Maybe the (inaudible) is eating their fish."

Supervisor Villella: "No. I think you ate that day your hair got blonde."

George Schmelzer: "That was a water problem, that brown tide for water, brown tide for bath water, see."

Supervisor Villella: "But you did look good."

George Schmelzer: "Yeah, maybe I could do it again, huh?"

Supervisor Villella: "Yeah."

George Schmelzer: "Okay, well, let them use the Peconic River. That's big."

Supervisor Villella: "Okay, George."

George Schmelzer: "Yeah."

Supervisor Villella: "Thank you."

George Schmelzer: "Save them money. I don't mind if they go there. They stir up the water, they'll aerate that water, too. Yeah, all right. Thank you."

Supervisor Villella: "Thank you. Anyone else like to speak on it? Charlie, would you like to speak?"

Charles Cuddy: "Just so that people understand it, the hearing today is basically described as (inaudible) sponsor for the site. We're going to go through the site plan process. We already went through the site plan process once and, in fact, not only before this Board but also at that time before the Planning Board. (Inaudible) required in the site plan process, whether it's fencing or other safety matters and once we do, we indicate that. But this, today, is basically the first step. This is not-- "

Supervisor Villella: "Right. It's not the site plan. Well, they just want to voice their opinion. I realize that. It's true. That will be coming up at another time, the site plan. But it's good to listen to their concerns anyway. Anyone else like to speak on this? No. That's good. 3:37. I declare the public hearing closed."

Public Hearing closed: 3:37 p.m.

Public Hearing opened: 3:37 p.m.

Supervisor Villella: "Let the record show the time of 3:37 has arrived. Would you please read the public hearing?"

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, at 2:40 p.m. on December 21, 1999 regarding Calverton Camelot LLC whether it should be designated the qualified and eligible sponsor for the redevelopment of approximately 472 acres of vacant land at the agency owned Calverton site."

Supervisor Villella: "Thank you, Barbara. Tom?"

Tom Rothman: "Before I begin, (inaudible). The federal government's goals in transferring the Calverton site to the Town of Riverhead Community Development Agency (inaudible) is for the entire property, not for a particular piece of property. The property has been zoned by the Town in multiple zones-- zoned individually will not necessarily meet all the individual criteria the federal government set forth. The aggregate of all the parcels (inaudible).

The second public hearing is in connection with the designation of Calverton Camelot LLC as a qualified and eligible sponsor. Calverton Camelot LLC is proposing to purchase 472 acres known as the industrial core which are where all the buildings are that Grumman had for a purchase price to the Town of Riverhead Community Development Agency of 17 million dollars. They propose to use that for industrial and commercial redevelopment."

Supervisor Villella: "Thank you, Tom. Who would like to speak on this public hearing? Ed?"

Edward Densieski: "Ed Densieski, Riverhead. Mr. Supervisor, Board Members, ladies and gentlemen. First of all, Happy Holidays to everybody, a safe and Happy Holiday. My name is Ed Densieski. It is my understanding that the Town Board may intend to vote on the Grumman (inaudible). This concerns me. Because this administration has been voted out of office and I'd like to remind you of the possible effects of a decision made by a lame duck administration.

The Riverhead Center is a perfect example of such a decision. That decision has cost the taxpayers of Riverhead one million dollars in mitigation fees, one million dollars in annual tax revenues and thousands of dollars in legal fees.

As a resident of this town and as a Councilman-elect, I believe that any decision made on the former Grumman site should be made by the new administration just elected by the people.

There are too many questions that have not been answered. For instance, what is Mr. Berman's (phonetic) plan? For the record, is the proposed Camelot movie company deal dead as indicated by the papers? Does Mr. Berman have a real plan for the property and, if so, what is it? What are the final boundaries to the proposed property purchase by Mr. Berman? Depending on which survey map one looks at,

the boundary lines changed. The original survey showed-- the original survey showed a different configuration than the current survey map but there was never any public notice of those lines being changed. In addition, Mr. Berman's proposes an industrial subdivision on the 472 acres he wants to purchase for 17 million. The survey map, however, states that he wants the town to subtract 28.5 acres for the roads throughout that subdivision. It is not customary for any towns to subtract roadway acreage from the total acreage. Why are we agreeing to do that? The town is not responsible for establishing roadways within a subdivision. The developer is.

This move simply means we're giving Mr. Berman an additional 28.5 acres for nothing. This could cost the taxpayers a significant amount of money and the public was never made aware of it. It figures out to about a half a million dollars.

Town officials and the taxpayers deserve answers to these questions before the public is expected to comment on the proposed project. Because of this, I strongly recommend that this administration makes no decision on this issue. The redevelopment of the Calverton site was a prominent issue during the recent campaign and this administration was voted out of office."

Supervisor Villella: "Excuse me, Ed. It was a problem-- the campaign, but you've got to tell the people the truth that we sold just 472 acres not the whole Grumman site for 17 million."

Ed Densieski: "Yes. The core industrial. I agree with you."

Supervisor Villella: "Yeah, but that's not what your ad says. So, thank you."

Ed Densieski: "The campaign is over. Please let me continue, Mr. Villella."

Supervisor Villella: "No, I'm just letting the people know about-- "

Ed Densieski: "I never said the whole site (inaudible)."

Supervisor Villella: "Okay."

Ed Densieski: "Please allow the new administration to swiftly deal with the issue when it takes over on January 3rd. Also, I'd like

to thank Phil. The proclamation information that he gave to Mr. Villella before really hit home. It's about bad government and doing what's right. Lame duck decisions, I don't think have anything to do with that proclamation that you received. I think if you think about it, you will agree with that statement. I question any lame duck decisions that are going to bind a further Board.

I want it to be clear that I'm not against Mr. Berman or any of the potential users of the site. If anything, that's the furthest thing from the truth. The RDC has done a great job but the current metes and bounds of the Berman deal are unacceptable to me and I think to most of the taxpayers. I have plenty of court cases here also for your perusal in regard to lame duck decisions that have been overturned. Thank you very much and have a nice holiday."

Supervisor Villella: "Would anyone else like to speak on this? Sandra?"

Sandra Mott: "Sandra Mott, Riverhead. I was wondering if you could tell me who the actual people are who own Camelot LLC? I've tried to determine that at the library and some other research. I was not successful nor were the people at the library. Aren't these local people or are these people from the Chicago based firm? They're not local?"

Supervisor Villella: "No, they're not from a Chicago based firm. That was the original."

Sandra Mott: "Are they local people?"

Supervisor Villella: "Local-- meaning what? Long Island? Yes."

Sandra Mott: "Local meaning Long Island, Riverhead. They are?"

Supervisor Villella: "Yes. No, not Riverhead, Long Island."

Sandra Mott: "Okay. Have they-- now, I don't know whether what I read all the time in the paper is such-- is this movie studio actually going to happen or not? Do you have any idea as to its status? Because (inaudible) produced any movies according to what research I did do, I could obtain information on its (inaudible) as Mr. Berman's firm (inaudible) previously made the offer to the town.

What kind of-- when I read qualified and eligible sponsor, I (inaudible) as someone who will be qualified and eligible to be an employee, okay. And we're really putting a lot of faith in a lot of unknown people and a lot of unknown expertise in a particular kind of deal that if you had dealt with a major firm such as Miramax which had a project going in Brooklyn that fell with with Robert DiNero. Now they're established. I know who Robert DiNero is; I know who Miramax is. I do not know who Camelot LLC is. Now they may be local people. What experiences do they have in this particular type of industry? Or is that simply a moot point and that was just a means to get people (inaudible) well paying union environment that was coming into the Town to replace what was previously here.

I'm asking because I don't know, because I can't find it out on my own and I'm relying on you all who have dealt with these individuals face to face and one on one. And if you could elaborate as to the town. Lame duck, future staff for the town, whatever, I am concerned as to what the status is of these people coming into the town. That's how I define qualified and eligible. So, if you could elaborate I would appreciate it."

Supervisor Villella: "Thank you, Sandra. Would anyone like to speak on-- yes?"

Michael Reilly: "My name is Michael Reilly. I have been-- personally I have a business located in Bridgehampton and for the past year and a half I have been attempting to relocate my business (inaudible). My business presently employs 60 people. It's a custom woodworking business-- we have doors, cabinets that are sold throughout the country. I have to tell you a level of frustration that I've been dealing with dealing with the town on this issue. In the last year, I have hired 10 people (inaudible). I had hoped that those people would come from the Calverton/Riverhead area. They have not.

I'm just-- I'm up here to actually kind of pitch the Town of Riverhead following through with the development of their Calverton site. I think it's a tremendous asset to the Town. I think it has the potential of employing a lot of people, bringing a lot of tax revenue to the Town, and a real future for that site. I think a lot of people see that. I don't know if everybody is able to see that.

The building that I've been attempting to get into out at the Calverton site is the old warehouse. It is about a 35,000 square foot

building that used to house all the parts that they used to build the jet aircraft. I did want to bring this just to show you part of the possibilities that that site does hold. I'm not a movie company. Our employees are skilled craftsman. We have a lot of very technical equipment. We offer, I think, a very good place to work, with a very good future and to that end I am very excited actually about relocating my business to Riverhead along with another several other business people that I do know, and building the site, and being a real vibrant member of this community. So I hope you do support that. I'd like to make Riverhead our (inaudible). Thank you."

Supervisor Villella: "Thank you, Mr. Reilly, and these are the type jobs that we do need in the Town of Riverhead in the industrial areas, so I want to thank you for coming on board. Tom?"

Tom Rothman: "I think it might be appropriate at this time to offer one comment. The contract-- the proposed contract for the sale of this 472 acres from the CDA to the proposed purchaser has been on file in the office of the Town Clerk and notice of the public hearing is on file in the office of the Town Clerk and point of fact has been on file in the office of the Town Clerk since June 15 of this year, so it's in that six months. The contract does not state and never has stated that the property is going to be redeveloped as a movie studio. It's going to be redeveloped for commercial industrial use. A movie studio is one permitted use. Mr. Reilly's proposed use is another permitted use and there are a whole host of permitted uses under your zoning code. I wouldn't want you to have the impression that the developer in the negotiations we had with him and with the Town Board promised to put in a movie studio. He did not. That was a proposed use at one time. I have no idea whether he will bring the movie studio in but that is only one of the many proposed uses for this rather large piece of land."

Supervisor Villella: "Thank you, Tom. Bobby. Bob Goodale, then you'll be next, Bob."

Bobby Goodale: "I'll defer."

Robert Kozakiewicz: "Thank you, Bobby. Bob Kozakiewicz, Riverhead, New York. I'm glad I'm following Mr. Reilly because I finally had a chance to meet him for the first time. We've been exchanging telephone calls and playing a mean game of telephone tag for about three weeks now and having a chance to discuss the project. I think I can certainly voice the same words that were voiced by Mr."

Densieski in that we don't wish to chase away viable jobs and good tenants and good users for the property.

However, saying that, there are some questions that I have with respect to the area that's going to be sold to Mr. Berman. The latest survey which is the sketch plans for the subdivision depicts an area which will include part of the runway, as I understand it. Is that the Board's understanding as well, that it will include part of the runway?"

Councilman Kent: "That's only an application that's been made to the Planning Board for subdivision approval. That doesn't necessarily mean that that's what lot will be created. The sketch that's included as part of the contract of sale does not include part of the runway. So I think that the actual property that's included as part of the transfer is still yet to be determined by the Planning Board as part of the subdivision process."

Robert Kozakiewicz: "I would ask the Board-- I would suggest to the Board that in (inaudible) that we'll be taking on as Board members, hopefully, that the runway not be included as part of the sale. I think either it should be sold to Mr. Berman as part of this transaction or kept out so that it could be used later. Taking one-third of it seems to take away any potential use for that particular-- "

Councilman Kent: "And I would agree with you. And I think there's also-- already been discussions about alternative properties that could make up the 472 acres rather than selling a portion of the large runway."

Robert Kozakiewicz: "The other question I have is whether the Board is of the mindset to pass a resolution today approving Mr. Berman as a project sponsor in light of past practice where you have felt it not fair to the public to have the hearing and then pass the resolution right away allowing for public comments. So, I don't know what your intention of that.

The next question deals with the question of subdivision. As I understand it and perhaps I'm misplaced, the contract makes the subdivision or a subdivision application a condition precedent before the sale can go forward. The question I have is who's going to be responsible for improving the roadways? My understanding that this would be an industrial subdivision. Therefore the roadways would be

larger and of greater standards than traditional-- than a typical residential subdivision. I'm wondering if these things have been considered by the Board as well."

Councilman Cardinale: "Yes, they have."

Robert Kozakiewicz: "And these roads will be improved by the town or will they be paid for by the town?"

Councilman Cardinale: "No, they will not be paid for by the town."

Robert Kozakiewicz: "Good. I have nothing else at this time. Thank you."

Supervisor Villella: "Thank you. Bob?"

Bob Goodale: "Yes, if I would-- I'd like to speak to the question I thought was a very good question about quality of the organization that the RDC has recommended to the town. Originally, when we recommended First Industrial, the original purchaser of this property was much the same-- well not the same-- but much the same terms. The reason the RDC recommended First Industrial was not because-- necessarily because of First Industrial but because of Mr. Berman and his position in First Industrial. It was upon his strength and the strength of his history of industrial development on the Island that led us to be very confident that this was an organization that would do the kind of job and the economic redevelopment of the site that the town needed. Price is always an issue. There are a number of other issues but on this critical piece the single most important question was who-- what organization would be best to redevelop this site to achieve the goals of economic redevelopment and jobs that were so important to Riverhead. It was in that context that we originally recommended First Industrial because of Mr. Burman's experience in this area and it is that-- also why we came back to recommend Mr. Burman under the new arrangement, and I would say that probably it would be helpful at this time if Mr. Burman, who's here, would come forward and (inaudible) about what he plans to do.

I would also want to say though that at no time, although we liked the idea, we did not recommend this project and these people to the town because of the possibility of a movie studio. We liked the idea but the decision to recommend this predated any discussion or any notification that a movie studio was possible. We still think it's a

good idea but it was not on the basis of that presentation that we recommended Mr. Burman and his firm to the town. Thank you."

Supervisor Villella: "Mr. Burman."

Jan Burman: "Hi, how are you? I guess I'll break this into two pieces. I guess I'll first talk about who I am and what I've accomplished in the last 20--25 years."

Councilman Kent: "Mr. Burman, I'm sorry. Would you pull that microphone down towards you and please address your comments to the Board. They'll be able to hear you through the microphone."

Jan Burman: "I've been saying I'd like to break this into two pieces. I'd like to first talk about myself and then talk about the use for the property. I went into the real estate business in the 1976--1977 period with my father-in-law here on Long Island. By 1981 we changed the name from Lazarus Associates to Lazarus Berman Associates and, in fact, we built a portfolio of about five million feet of industrial properties during a 20 year period. Our specialty was exactly what Calverton is. We bought surplus corporate properties, the bigger the better because we have less competition to buy those properties and we made them into viable buildings. Sometimes we subdivided them; sometimes we changed the use to an office type use but by and large we buy every year hundreds of thousands of feet, 300,000 with buildings, 200,000 with buildings, and we make them into multiple tenant buildings or single tenant buildings but we took all surplus properties and brought them to life.

In 1997, in January, we sold about three million feet of our properties to First Industrial but it was more of a merger into this public company. It was the second largest industrial (inaudible) in the country. At that time, they had twenty-four million feet; we merged in three million feet. During the next eighteen months when I worked with First Industrial, I grew the northeast region from three million feet to ten million feet. As a company, they grew from twenty-four million feet to seventy million feet. My family remains one of the largest shareholders of First Industrial to this day.

In addition, we built the largest senior golden age housing job in the history of Long Island. We built the Meadows and Mitchell Field, 440 units of housing for seniors. We sold it out in five months, built it for sixteen months. It was also the largest modular job in the history of Long Island.

I'm the chairman of a company called Engel-Burman Senior Housing (phonetic). We build nursing homes and assisted living residences. This year alone we broke ground on one hundred million dollars worth of work. We're doing a 280 bed nursing home in East Meadow; we're doing 148 unit assisted living residence in East Meadow; we're doing a 168 unit assisted living residence in Westbury. In the spring, we're breaking ground on another 150 unit assisted living residence in Roosevelt Raceway. We're building 450 units of senior housing on Roosevelt Island and we have several other golden age jobs going.

I'm also the president of Cybur (phonetic) which is (inaudible) and myself, Jan Burman. We bought a million feet of industrial properties in Canada in the last year. We're buying office buildings in the Miami Beach area. We're buying an office building in Boston right now. And very active off Long Island in that venture.

As Lazarus Burman this year, I built for (inaudible) 65,000 feet on Veterans Highway. I bought a 300,000 for building in Garden City which we're making into a Home Depot store. I bought two buildings on Franklin Avenue in Garden City this year. I'm buying industrial property in Farmingdale right now with 88,000 feet of Engineer's Lane. I'm buying four industrial buildings in Albertson and I'm in contract to buy some land here in Calverton with you all.

I would say that I'm probably the most qualified developer on Long Island to do exactly what we're talking about today.

With regard to the use of the property, the intent is to create jobs and the intent is to bring manufacturing type tenants in. We'd like to go in the movie direction if we could. We think it's more realistic right now that it will be more of an aviation type facility. We've been talking to people that want to remanufacture planes. In fact, we have some of the things-- remanufacture 50 jets on the site. We met with the banks that own these planes and that's going in a good direction. We've talked to quite a few people that want to use the various hangars for corporate headquarters. Warner Brothers wants to move their corporate fleet to the east coast. There are several other people in the jet business-- (inaudible) jet type people that want to come to this location. We've been talking to someone who wants to remanufacture the walkways from JFK Airport from the terminals to the planes so we're going in that direction.

And, in fact, we have Michael Reilly who's committed to going to the property if we can satisfy him that we can close this transaction

quickly enough. (Inaudible) Marine has moved into one of the buildings already. He manufactures Hustler boats. He's sold on this particular location. Stony Brook Industries has just moved into the site. They manufacture the sign posts that go over the expressway. We have a (inaudible) label manufacturer that wants 100,000 feet. We have a frame manufacturer that wants 100,000 feet.

So what we've found is that what you've created by giving the economic development zone designation and creating an industrial location, that there are a tremendous number of businesses that are in the area coming to the east from the west and the west to the east who want to be in this location and we think within two to three years we can create several million feet of industrial type users, mostly manufacturing, some warehousing, who will use up all these buildings who, hopefully, will use the (inaudible), and you're going to create two to three thousand jobs and it's exactly what the town wanted.

My understanding from the town was we had to create jobs which this will do. You want to put this back on the tax rolls. We start paying tax the day that we close. You were concerned about it being friendly to the environment. Well, you're only giving us 15% density. We've already talked about (inaudible) big portions of the land, if we don't need it, we probably won't need it, so you know it looks like 476 acres. When we're done, it may look like 250 or 300 acres and the rest will be additional green belt which will satisfy, hopefully, the town. We're giving you seventeen million dollars. But more importantly, you stop bleeding. You're right now paying to my estimation \$400,000 a month to maintain this property. You've got to manage it, you've got to (inaudible) it, you've got to keep security going, you've paying a management company. All that goes away once we take over. So to the good of the town I mean we sat and calculated. Every family's paying-- every person's paying a couple hundred dollars a year to maintain this property. They're not going to pay that any more and you're going to receive taxes and you're going to have a job base and, hopefully, if we two or three thousand jobs, that's all types of jobs. That's engineering jobs, it's craftsmen jobs, it's everything from high end to low end. You're going to create a need for restaurants and shops and stores and office supplies and you're going to be back to the old days when Grumman was here and you're going to be having a hustling and bustling economy out here again and that's, I think, exactly what you all had wanted to happen.

With regard to the survey, as you all know, I told you, I'll be very flexible. As long as I fall within the industrial zone, I don't

care where you put me. As long as I fall in the economic development zone, I don't care where you put me. And we work well together and I hope we'll continue to work well next year with the new administration. But we've both been very easy with give and take. Again, I'm not saying it's got to be this line. You're helping me, I'm helping you. We're going to work together and where the lines fall.

As far as the runway being in or out, if we get the airway (inaudible) we hope to buy the runway which I know is always the hope you had. It will be another three or four million dollars for the town. So that's something we're very seriously considering.

With regards to the cracking runways, the whole idea here was we negotiated for three million feet which is what the master plan called for. The acreage was kind of secondary. The acreage kind of fell out because once you took three million feet and worked backwards it came to 472 plus roadways. So whether you want to call it 472 or 499 it didn't matter. We had to get to the density because that was the deal that was always anticipated. So, I think you can't be concerned about whether the roadways are in or out. I think we're kind of giving you the roadways because they wanted to have them as public roadways because you have other people that have to cross the property with easements and whatever else they have to do.

Who is Camelot? It's right now myself and a fellow named Mario Cytrenbaum (phonetic). That's what the Cybur is all about. Cy for Cytrenbaum; bur from Burman to Cybur. We're the same people that have the properties in Quebec and Miami and Boston, we're also here. We have the financial wherewithal to do this transaction. Right now we're contemplating giving it in half cash and going to the bank for half. That may change. But at least half is coming out of our pockets. So we have the wherewithal to do whatever we're talking about doing and that's not going to be an issue.

Yes, it's a spec project but that's what we do. And we go out and we find tenants and, again, I think we're extremely qualified to do it and I don't envision any kind of a problem of us filling up this property.

I hope that answers most of these questions."

Supervisor Villella: "I think you did a very good job with that, Jan. Thank you."

Councilman Kent: "Thank you, Jan."

Supervisor Villella: "Anyone else like to speak on this public hearing? The time is 4:07. I declare the public hearing closed."

Public Hearing closed: 4:07 p.m.

Supervisor Villella: "Do you want to take a five minute break?"

Councilman Kent: "Let's do the last public hearing."

Supervisor Villella: "One more public hearing, okay."

Public Hearing opened: 4:07

Supervisor Villella: "The time of 4:07 has arrived. Would you please read the public hearing?"

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, at 2:45 p.m. on December 21, 1999 for the consideration of a proposed local law to amend Chapter 101 of the Town Code entitled Vehicles and Traffic. Section 101-3 Stop and Yield Intersections, Railroad Crossings, Parking Fields. The intersection is Pine Street, stop sign on Cliff Road West, Manor Road, entrance from the north and south. Intersection Cliff Road West, stop sign on Cedar Street, entrance from the west. Intersection Cliff Road West, stop sign on Peach Street, entrance from the west. Intersection Cliff Road West, stop sign on Pine Street, entrance from the west."

Supervisor Villella: "Thank you, Barbara. Would anyone like to speak on this public hearing? If not-- Steve."

Steve Haizlip: "Steve Haizlip of Calverton. I'll be quick and brief. Anytime that you can increase public safety through control of vehicles with signage I am for it and with the increase in traffic that we're getting out here now, it is a good thing to try to control the traffic and second if you don't have these signs and accidents occur then you've got big long litigation who is at fault and who did this and with the signage to help control it, it kind of quells everything."

Supervisor Villella: "Thank you, Steve. Anyone else like to speak on it? If not, the time 4:09 has arrived. Close the public hearing."

Public Hearing closed: 4:09 p.m.

Supervisor Villella: "We're going to take a-- "

Councilman Kent: "No, no. Do the last two public hearings."

Supervisor Villella: "We did."

Councilman Cardinale: "We did. We have to close these."

Supervisor Villella: "Oh, we've got to-- well, Bell Atlantic was supposed to be 4:30. We can do it now?"

Councilman Kent: "We could ask if anyone wants to speak on it. Oh, it says-- "

Supervisor Villella: "It was just written comment only."

Councilman Cardinale: "Okay, how about Riverhead Center."

Supervisor Villella: "Riverhead Center we could close. And we will. The time is 4:10. I declare the public hearing on Riverhead Center closed. Can we do-- we come back later and close the 4:30. We'll take a 10 minute break. We'll be right back."

Recess

Reopened: 4:45

Supervisor Villella: "Attention please. We're sorry that we're so late but we had to iron out a few problems that we had, so-- we will continue. But before I continue, you see all these beautiful plants that are out here and they were given to every employee in the Town of Riverhead and Jack Van DeWetering is the person that did it and his family. So there we go again. Jack does everything for us. Let's give him a hand. Unbelievable what that family does for the Town of Riverhead."

Councilman Kent: "Mr. Supervisor, I move that we close the public hearing on Bell Atlantic."

Supervisor Villella: "It's past 4:30. That's right. The time 4:45 has arrived and we declare the public hearing closed."

Okay, we're going to go into-- is Andrea coming?"

Adam Grossman: "I don't know where she is."

Supervisor Villella: "Is Andrea here in the building?"

Adam Grossman: "Do you want to do comments?"

Councilman Kent: "Let's do comments on the resolutions first."

Supervisor Villella: "Okay, comments on the resolutions."

Councilman Kent: "We do have-- "

Supervisor Villella: "You'll be next, Andrea, after this."

Councilman Kent: "We have five resolutions that are not in the packet."

Supervisor Villella: "Five?"

Councilman Kent: "I believe so, yes. Is that correct, Barbara?"

Barbara Grattan: "I guess so. Here we are. Appoints a member to (inaudible)-- "

Councilman Kent: "I know. We have four? No, we have five. I know, the last one is-- the last one is two pages. Okay. Oh, but that's a tabled resolution."

Supervisor Villella: "Yeah, that's tabled. 1102 is tabled."

Councilman Kent: "Were we going to withdraw that and put in a new one?"

Barbara Grattan: "What we're doing is we're reappointing members to the Architectural Review Board."

Councilman Kent: "Right. Okay, the resolutions that aren't in the packet is reappointment of a member to the Architectural Review Board. We have a resolution authorizing the rejection and rebidding of a mini van for the assessors, I believe that is."

Supervisor Villella: "Right."

Councilman Kent: "And a transfer of an account clerk typist from a full time position to two part time positions in the Highway Department and Justice Court. So, with those additions-- and we have a tabled resolution which I think we're going to call which is site plan for the basketball and batting cages on Route 58."

Supervisor Villella: "Okay. Is there anyone who would like to speak on the resolutions, please? Yes?"

Marie Buday: "Hi, my name is Marie Buday. On the resolution appointing the account clerk typist to the Highway Department/Justice Court."

Supervisor Villella: "Yes."

Marie Buday: "From what the resolution says, this is going to be for Kimberly Lucas, putting her on salary schedule Group 9, step 6. From what I understand, there has never been a resolution appointing her as an account clerk typist and I would like to know (1) why was there never a resolution appointing her as account clerk typist; and (2) if she is going to be appointed as an account clerk typist how come she's not starting on Group 9, step P like every other new account clerk typist starts at."

Supervisor Villella: "Good question. Is Jack in the building? Jack, can you speak-- Marie just came up with a good question. Can you-- Marie, can you ask again, please? He knows what the question is but just give him the meat and potatoes of it."

Councilman Kent: "The question was why since-- there was actually two questions. One was have we ever passed a resolution putting her into the position of account clerk typist? Is that correct? Is that your first question?"

Marie Buday: "Yes. I have found no resolution appointing her as an account clerk typist."

Councilman Kent: "And the second question was, if she's going into this new position, why isn't she not beginning at the P step?"

Marie Buday: "As do all other-- "

Councilman Kent: "As do all other account clerk typists."

Jack Hansen: "I can answer those. The first question. No, there was no resolution ever appointing Kim to account clerk typist. The second question, if an employee is already working here they have not gone into the P step. The P step is for people who are coming in from the outside. So the Town Board has the discretion of where they want to place a person (inaudible). That's the Town Board's discretion. But as far as P, P is reserved strictly for somebody coming in from the outside."

Councilman Kent: "Do you know the starting date when Kimberly Lucas started working for the Town?"

Jack Hansen: "July of '94, I believe, is her start date."

Councilman Kent: "Okay."

Councilman Cardinale: "The second question I understood. The first question, there was no resolution appointing her. Is that necessary?"

Jack Hansen: "There was no resolution appointing her to the position of account clerk typist (inaudible) the fact that her salary stayed the same, the Supervisor just wrote-- authorized on the CS-150 the approval of taking Kimberly Lucas off of the Civil Service list."

Councilman Cardinale: "So are you saying to the Board that there is no requirement as a prerequisite of passing the transfer to actually pass a resolution establishing her position as account clerk typist?"

Jack Hansen: "As long as there is no salary change, the Supervisor can-- as the sole appointing authority, has the right through Civil Service to appoint anyone he wants as long as the Town Board has authorized that salary (inaudible)."

Councilman Cardinale: "Okay."

Supervisor Villella: "What is the salary on this thing?"

Councilman Cardinale: "And in regard to the salary, what is the salary at this level? Group 9, step 6."

Supervisor Villella: "Group 9, step 6."

Jack Hansen: "29,841.88 as of this year's contract."

Councilman Cardinale: "And what is her current salary?"

Councilman Kent: "What's her current salary?"

Jack Hansen: "Her current salary as-- in her capacity at the moment?"

Councilman Cardinale: "Yes."

Jack Hansen: "\$35,000 with the contract."

Councilman Cardinale: "She is a managerial pay with a contract of 35?"

Jack Hansen: "Yes."

Councilman Cardinale: "And if she had entered as an account clerk typist in '94 and simply taken the usual steps would she be at the step that we're talking about here?"

Jack Hansen: "She'd be a 4."

Councilman Cardinale: "She would be a Step 4 as opposed to a Step 6?"

Jack Hansen: "Correct."

Councilman Cardinale: "What's the difference in salary?"

Jack Hansen: "\$28,348.88."

Councilman Cardinale: "\$28,348."

Jack Hansen: "Yes."

Councilman Cardinale: "And what's the Step 6 that is suggested?"

Supervisor Villella: "29-- "

Councilman Kent: "29."

Jack Hansen: "Step 6 is \$29,841."

Councilman Cardinale: "So that's about \$1,500 or less differential between what we're putting her at and what she would have been on had she started as an account clerk typist."

Jack Hansen: "If she started as an account clerk typist in 1994, her step would have been Step 4 if they did not receive a merit increase during that time."

Councilman Cardinale: "If there was no merit increase."

Jack Hansen: "But as far as following exactly what the contract said at that period of time, where there was no step movement, she would be in Step 4 today."

Councilman Cardinale: "Thank you, Jack."

Marie Buday: "So since these questions have been answered, my question remains. Why was she being started at Step 6?"

Councilman Cardinale: "To give her-- you want an answer? To give her credit for service to the town."

Marie Buday: "Okay. So what does that say for people that have been here for five and six years who are still not making that amount of money that have been account clerk typists working in that position."

Councilman Cardinale: "It makes a pretty good argument that she should be Step 4 but her-- I guess the flip side of that is that we don't know if she would have ever reached the merit increase during that period. So it's an approximation to place her where she would have been had she not been in the office she's in. But I hear your argument that at 28,348 as opposed to 29,841. However, I think we pretty fairly resolved your argument in regard to why there's no resolution appointing an account clerk typist because it's not

necessary and why she's not being put at the P step because it would be totally inappropriate to put her at the P step."

Marie Buday: "I understand that."

Councilman Cardinale: "It's appropriate to put her at the 4 and within the discretion of the Board-- "

Councilman Kent: "Or anywhere higher."

Councilman Cardinale: "-- anywhere higher. And for service to the town, we may as a Board decide to give her another thousand or \$1,500 but we appreciate your clarifying the issue for us."

Marie Buday: "So the fact that I've been working as an account clerk typist for over five years-- "

Councilman Cardinale: "Well, that's-- I would like to hear more about this."

Marie Buday: "-- but I'm going to be making less than that."

Councilman Cardinale: "What Step are you in?"

Marie Buday: "5."

Councilman Cardinale: "Okay. Have you been here five years?"

Marie Buday: "I've been here for five years."

Councilman Cardinale: "What's your start date?"

Marie Buday: "August, '94."

Councilman Cardinale: "Hers was July, '94?"

Marie Buday: "Hers was July, '94."

Councilman Cardinale: "Okay. So what are we-- what's Step 5?"

Marie Buday: "Step 5 is \$29,095."

Supervisor Villella: "That's where you're saying that's where she should be then."

Councilman Cardinale: "And you started like a month-- within a month of her and you feel it's unfair?"

Marie Buday: "Yes."

Councilman Cardinale: "Yeah, well, you may be right. So I appreciate your bringing that to our attention."

Supervisor Villella: "You'll be all right with that then?"

Marie Buday: "I think it would be a little more fair."

Supervisor Villella: "Okay."

Marie Buday: "Our start dates are around the same time and that-- me at Step 5, that took one merit raise."

Supervisor Villella: "Well, everybody got almost a merit raise that two years ago when I first came in. The people that did a lot of work for the town were rewarded."

Councilman Kent: "Can I ask a question? Are there any other account clerk typists that you are aware of that started about the same time that could be higher than that or maybe even still lower than that than where you are today?"

Marie Buday: "Started at the same time?"

Supervisor Villella: "It should be the same."

Marie Buday: "No, they're all about the same."

Supervisor Villella: "They should be, right? Except for if you have a merit."

Marie Buday: "Right."

Supervisor Villella: "Right."

Councilman Kent: "Or a promotion."

Supervisor Villella: "And you deserved a merit raise. You do a great job down there."

Councilman Cardinale: "Marie, thank you. I think certainly you've been convincing to me."

Marie Buday: "So I just ask that the Town Board (inaudible). Thank you."

Supervisor Villella: "Everybody okay with that, then? Are you going to amend that?"

Councilman Cardinale: "Yeah, she'll love me for it."

Supervisor Villella: "Anyone else want to speak on-- Rolph?"

Rolph Kestling: "Rolph Kestling from Wading River. I just want to ask about Resolution 27 and 28."

Supervisor Villella: "The CDA? 27 and 28 on the CDA guys."

Councilman Kent: "Resolution 26, CDA?"

Rolph Kestling: "27."

Supervisor Villella: "The CDA, 27 and 28."

Councilman Kent: "Well, 27, this is the Okeanos and the Marine Foundation."

Supervisor Villella: "Jack, where did you go?"

Councilman Kent: "This is marine research grants, correct?"

Rolph Kestling: "Right. My question is you're converting two loans from the Riverhead Community Development Agency to the Riverhead Foundation for marine research to grants. When you convert it to grants it's my understanding you don't have to pay back. I mean, they have a loan now. And now you're going to just convert them to grants and it's been my understanding when it's a grant you do not have to pay it back."

Councilman Kent: "That's correct."

Supervisor Villella: "You're right."

Rolph Kestling: "Could you tell me or tell us how much this

amounted to, the two loans?"

Councilman Cardinale: "\$60,000 I believe. Jack, did you tell us? I have a question on this in any event before the vote so we'll take it now. It's basically the same question."

Supervisor Villella: "The loan was 40."

Councilman Cardinale: "I understand why the Okeanos loan is being forgiven or acknowledged as uncollectible. I can assure you it is because I've tried suing Okeanos without success. However, the Riverhead Foundation is being translated-- changed from a loan to a grant, from a loan to a gift. Why, if they're still in a business? And that's the question to Jack. Jack, why are we doing that? Why is it suggested that we do that in this resolution?"

Jack Hansen: "I don't think they have the wherewithal to reimburse the town for loans and (inaudible)-- "

Councilman Cardinale: "Yeah, so it's a practical accounting question. Have we-- "

Supervisor Villella: "You're just cleaning up the books."

Councilman Cardinale: "Have we tried to collect? I mean I had to sue Okeanos and I got told that they weren't going to pay on behalf of-- "

Jack Hansen: "Okeanos is basically-- "

Councilman Cardinale: "Right. But the Riverhead Foundation is not."

Jack Hansen: "-- for lack of a better word. Riverhead Foundation is still (inaudible). It's operating with Mr. Bisset right now."

Councilman Cardinale: "Right, so why would we want to give them more-- "

Supervisor Villella: "We're not giving them any more now."

Councilman Cardinale: "More Tanger money. We're-- "

Jack Hansen: "We're not giving them any more."

Supervisor Villella: "We're not giving them-- this is from past. It's already been used."

Councilman Cardinale: "Yeah-- "

Jack Hansen: "This is converting the loan into (inaudible) so, therefore, (inaudible)."

Councilman Cardinale: "He's saying if somebody owes you the money and they've got to pay it back, that's very different than saying forget it, you don't have to pay it back. It's on me. That's what this resolution says. It converts a loan to a gift. I don't think we should do this unless they come in and establish that they do not have the wherewithal to pay the loan. And that would leave \$60,000 more in the Tanger money available were they to pay it back for other entities on Main Street to enjoy. Am I wrong or am I missing something?"

Jack Hansen: "No, that's true. If they can reverse-- "

Councilman Cardinale: "All right. I know your concern. I'm not questioning it. It's just from an accounting standpoint you've been seeing this loan for a long time and no money coming in. Let's do something with it. I'm just not convinced-- "

Jack Hansen: "So by converting it to a grant it doesn't have to be reimbursed."

Councilman Cardinale: "Right. Well, that's what I do with my legal clients, too, sometimes. I convert my bill services as a gift because I don't get paid but that's-- I can't do that too long or I would go out of business."

Supervisor Villella: "We don't need a write off in the town though."

Jack Hansen: "We can't keep it on the books as a non-performing loan."

Supervisor Villella: "Right. I think the auditor mentioned it that they have to take care of it."

Jack Hansen: "Right now it's a non-performing loan."

Councilman Cardinale: "But we never sued these people. We never even sent them a collection letter as far as I can tell."

Jack Hansen: "I'm trying to keep litigation down."

Councilman Cardinale: "Well, I think we should at least send them a collection letter as was suggested before we do this."

Councilman Kent: "We've had other loans that we've pursued and we spent additional money. So it's a decision of whether we're going to spend good money after bad."

Jack Hansen: "We have seen the books of the Foundation. I don't see-- "

Councilman Cardinale: "I think you're a director, aren't you of the foundation?"

Jack Hansen: "No."

Councilman Cardinale: "I'm comforted to hear that though. I'm serious."

Jack Hansen: "A while back."

Councilman Cardinale: "I'm serious. I'm kidding but I'm also serious that we should not just do this unless we-- they establish on the record that they are unable to pay and-- "

Councilman Kent: "Maybe we should invite them in."

Councilman Cardinale: "-- that we're convinced. I've never seen that. I don't even know who the foundation is."

Councilman Kent: "We should invite them in to take a look at their books and to inquire as to their financial capabilities to repay this loan. And at that point if we decide that-- if we make a finding that they cannot pay the loan, at that point, maybe we can convert it to a gift. Would that crimp your books a little too much or-- "

Jack Hansen: "Why can't we do it before year end?"

Councilman Kent: "Well, we have a work session on Tuesday. So maybe we can invite them in."

Councilman Cardinale: "Okay, let's do that. That's well stated, Councilman."

Councilman Kent: "Could you make arrangements since this is for your purposes to invite them in for Tuesday?"

Councilman Lull: "Actually, Jack, they are supposed to have been coming in every quarter anyway. That was the original agreement with them. When we loaned them the money, they were supposed to come in with a business report every quarter."

Jack Hansen: "We'll have them here Tuesday."

Councilman Kent: "Okay, please."

Councilman Cardinale: "Thank you."

Councilman Kent: "Rolph, anything else you want to-- "

Rolph Kestling: "Yeah, I want to add onto that. It reminds me of remember when the government had the Susan B. Anthony dollars-- "

Councilman Cardinale: "They still have them."

Rolph Kestling: "-- and they still got them, they're in the bank and they carry it as an asset because if they melt it down to silver it would be so much less money. It wouldn't be worth that much. But so by carrying it on the books as an asset they're ahead of the game. The town would be in the same position.

Now, the next thing, Marine Research, that's really an offshoot of Okeanos, isn't it?"

Supervisor Villedella: "No. Okeanos is defunct."

Rolph Kestling: "I mean practically it's the same bunch of-- "

Councilman Kent: "Scientists I think is the word you were groping for."

Rolph Kestling: "I bit my tongue. The second one. A

resolution forgiving a loan by the Town of Riverhead Community Development Agency to the Okeanos Ocean Research Foundation."

Councilman Kent: "Well, that one's a little more-- a better explanation. Okeanos I believe is no longer a going concern."

Rolph Kestling: "All right. But if you forgive the loan, it's no longer on Okeanos' record if they ever want to resurface. So (inaudible). We paid off our bills; we're in-- "

Councilman Kent: "Resurface, that's a good choice of words."

Rolph Kestling: "But if you leave that on there, hey, they've got a black mark against them."

Councilman Lull: "The size of their indebtedness to us is-- pales to the size of their comparison of several million dollars to local banks and businesses. So it wouldn't make any difference."

Rolph Kestling: "I'm not worried about local banks and businesses. I'm worried about Riverhead. The hell with the local banks and businesses. I mean you were a member of the Okeanos and you're up there for us to thank, weren't you? You weren't? You had an aquarium."

Councilman Lull: "I've got a fish tank."

Councilman Kent: "No, he's got dogs."

Rolph Kestling: "How much was the Okeanos money anyway, those loans? How much-- "

Councilman Kent: "Well, this says \$24,000."

Rolph Kestling: "When you add everything up and (inaudible), didn't they? Okay, thank you."

Supervisor Villella: "Thanks, Rolph. Sal. Sandra, you'll be next then."

Sal Mastropolo: "Sal Mastropolo, Calverton. Resolution 1180. If you read the resolution, I understand that you're asking for \$40,000 more for the master plan. What I don't understand is the third whereas. Whereas, it has now been determined to purchase more

than one ambulance. What does an ambulance have to do with a master plan?"

Councilman Kent: "Jack, you forgot to delete."

Sal Mastropolo: "I mean is that a paragraph that shouldn't have been in there or-- "

Councilman Kent: "Yeah, that should have been deleted."

Councilman Cardinale: "Clearly should have been deleted."

Sal Mastropolo: "Doesn't anybody read this stuff?"

Councilman Kent: "Yeah."

Councilman Cardinale: "We haven't had a chance to amend it. I mean you're before it. To get us, you've got to wait 'til after we pass it with that in it. Which we might, so, stay around. But nice pickup, Sal. That and the chicken wings are going to make you legendary."

Supervisor Villella: "That's why he's an IBM man."

Councilman Kent: "Anybody else? Sandra."

Sandra Mott: "Hi, I'm Sandra Mott, Riverhead. Quickly, 1165 you are appointing a (inaudible)."

(There was some inaudible discussion among the Board members.)

Councilman Cardinale: "Yeah, the Riverhead (inaudible). Monday, 7:30, right here on Channel 27."

Sandra Mott: "There you go. Very informative. Nonetheless that's how I became aware of this. And also (inaudible) and you make reference to Dr. (inaudible) who is also concerned with the animals, the (inaudible) of the town as you all and everyone else in the town I think is aware that that's my concern. I just wanted to thank you at the end of the year, Vinny, and the end of your administration, I know this isn't the time for comments later, but I'm going to thank you now. I will never forget that you rescued those 23 cats from death in the town. And I want to thank you on your leaving-- your efforts, Mr.

Lull, Mark, Phil, Chris, I really hope that in the future whoever of you are still here will continue to make the effort. The effort is moving in the right direction. I understand also from that program, that \$4,000 will be worked in with News Review for putting in advertising which I asked for over two years ago. I just thank God it's coming to fruition-- "

Supervisor Villella: "This is coming through a private donation. This individual-- "

Sandra Mott: "Well, whoever did it, I thank you but it's going to be of benefit to the town-- "

Supervisor Villella: "Definitely. And also I want to thank the News Review for-- because \$4,000 doesn't cover the whole year to put a-- you know a page in."

Sandra Mott: "No. And Suffolk Life has been very good about putting cats in that have been left to Dr. Miller-- "

Supervisor Villella: "Yes. All the papers. Mattituck Watchman, too."

Sandra Mott: "And I understand there's a proposal that he's offered to the town-- benefit of the cats and I just want to say that I hope that this person (inaudible) will be working strongly with the people that did the hands on. I never said I would do hands on but I'm still available if the town wants to partake of my efforts to get a (inaudible) rebuilt or build in a different location based on Habitat for Humanity. Thank you all. I hope this gentleman works out but you specifically, Vinny, I truly thank you for saving and thank you, Mr. Lull, for working diligently for our various administrations. Thank you all. Merry Christmas. Say a prayer for the innocent. I will be back-- "

Supervisor Villella: "Thank you for the card with St. Francis."

Sandra Mott: "Yes. St. Francis is there for all of us and Mrs. Grattan has been very supportive in providing documentation for my use as well as other people throughout the town. Thank you very much."

Supervisor Villella: "Thank you, Sandy. Anyone else want to speak on the resolutions?"

Maryann Tague: "My name is Maryann Tague. I'm the purchasing technician for the Town of Riverhead. I just have a short statement I'd like to read. I'd like to add to what my protégé, Marie, also said. Kim Lucas has not been here on uninterrupted service as she has. Kim Lucas took two family leaves and came back as a part timer so if you want to count hour for hour, it was not uninterrupted-- it was uninterrupted service, maybe it totals four years.

I've been employed by the Town of Riverhead since 1989 and during that time have made every effort to further my education in the field of purchasing. I've taken promotional civil service exams. When I was granted a promotion in July of '99, my previous promotion being July of '92, I was told the Town Board would approve my promotion but my salary increase would be limited to \$1,500. My salary increase ended up at \$1,408 and at the time of my promotion, two male employees in the Water District were promoted provisionally with salary increases at \$1,600 and \$1,695 respectively.

As you can see by the sheet that I will hand you, I've compiled a list of promotions granted during '99 and it's become apparent that the Town Board has been inconsistent when granting promotional raises to male and female employees.

Now I understand that a resolution is up for adoption tonight promoting a male employee to Assistant Town Engineer with a salary increase of over \$6,000. I request the Town Board seriously consider these facts before adopting this resolution. That's my statement."

Supervisor Vilella: "Thanks, Maryann."

Councilman Kent: "The-- there is some distinct-- some distinction on the engineer one. He just-- he received his license, he is a professional engineer now. So he's entitled to a position."

Maryann Tague: "I received my title of Purchasing Technician. There's no license for that, sorry. I have my driver's license."

Councilman Kent: "Well, there's a major difference there. I'm sorry."

Maryann Tague: "Well, I'm sure there it, but-- "

Councilman Kent: "There's a professional-- he's received a professional degree."

Maryann Tague: "Absolutely. Okay."

Councilman Cardinale: "Can we make it up by giving Kim an extra step or two or because she's a woman-- "

Maryann Tague: "Whatever."

Councilman Cardinale: "Don't even go there."

Supervisor Villella: "Anyone else like to speak on the resolutions?"

Councilman Cardinale: "Last I checked."

Supervisor Villella: "Bill?"

Maryann Tague: "Thank you."

Supervisor Villella: "Thank you."

William Kasperovich: "William Kasperovich from Wading River. I was looking through the index-- on the promotion to assistant town attorney."

Barbara Grattan: "Sorry, Bill. I made a mistake."

William Kasperovich: "Well, I don't know why you lie about that because you never make mistakes."

Barbara Grattan: "Once in a while. It's Christmas, Bill."

William Kasperovich: "So I read-- I took a little look at what
1157 was and (inaudible)."

(There was some inaudible discussion among
the Board members.)

Supervisor Villella: "Go ahead, Bill."

William Kasperovich: "I understand not too long ago you had a resolution to an engineering field inspector. Presently you have an engineer and two assistant engineers and a field man."

Councilman Kent: "No, one assistant engineer."

Councilman Cardinale: "No. We only have one assistant town engineer. But what was that other position, do you recall?"

Supervisor Villella: "We might need another one the way-- all the drainage problems and everything."

Councilman Kent: "Engineering inspector was the other one. So we have one town engineer, an assistant town engineer, and an engineering inspector."

William Kasperovich: "Well, unless you-- a man has resigned you had for quite a while now an assistant engineer."

Councilman Cardinale: "Yeah, it's the same guy. We-- he's still in the position. What's his-- "

Councilman Kent: "His other-- where is-- Jack, what was Ed's prior position, prior title?"

Jack Hansen: "Currently he is a junior civil engineer."

Councilman Kent: "Junior civil engineer."

Supervisor Villella: "Bill is a senior."

William Kasperovich: "Okay, then we have one assistant town engineer and one engineering inspector."

Councilman Cardinale: "Correct."

Supervisor Villella: "There's still room for a part timer or a full timer down there, too."

William Kasperovich: "This is a personnel kind of thing. I don't know if this is an appropriate place to speak on it. Certainly from what I've heard others, there's a misconception of what a professional engineer is to the State of New York. I've talked about this at several times in the last two years and I say this because this should have been clarified in the minds of the Town Board. Now, acquiring a PE title in the State of New York is definitely not the type of step in the ladder that you would use unless you have a specific concern. You can be a chemical engineer or a chemist-- "

Councilman Kent: "Do you know his point?"

Councilman Cardinale: "He doesn't know."

William Kasperovich: "-- and you can put your seal on an electrical design. But you do that at risk. The State does not differentiate in the titling of what classification of work or interest or endeavor that the person makes. PE is a wide brush that covers civil, structures, chemical, electrical, and what have you. So-- "

Councilman Kent: "It's like being a lawyer and taking cases you don't know."

William Kasperovich: "-- in no way could be added to his resume of experience or qualifications. You could have gotten your PE license on electrical and when it comes to assignments you get a drainage problem that you don't know what to do with."

Councilman Cardinale: "Oh, I get you. You're saying in order to get his license in what degree of-- "

William Kasperovich: "No. It doesn't matter."

Councilman Cardinale: "What specialty. Is that what you're asking?"

William Kasperovich: "It doesn't matter."

Supervisor Villella: "Civil service says as long as you have the PE at the end, you can do anything in these job descriptions. You're right, Bill."

Councilman Kent: "What's his point though?"

Supervisor Villella: "He doesn't have the experience."

William Kasperovich: "The State believes that the description (inaudible)."

Councilman Cardinale: "To what-- as to what-- "

William Kasperovich: "To exceed his ability."

Councilman Cardinale: "I think I understand you but let me repeat it. That you're saying that just getting an engineer's

license-- "

William Kasperovich: "A PE license."

Councilman Cardinale: "A PE license, professional engineer license, which is what he got, is not the full story. You have to know what the professional engineering license is in, what specialty, what area."

William Kasperovich: "Yes."

Councilman Cardinale: "Okay. Do you know, Jack, what this license is in? What specialty? Because I've given this guy a raise. I want to make sure that he's worth it."

Jack Hansen: "For assistant town engineer which before you is a resolution-- "

Councilman Cardinale: "Right."

Jack Hansen: "-- to appoint, it only requires PE. It doesn't say specialty, it doesn't say anything."

Councilman Cardinale: "Professional-- okay-- professional engineer. In any specialty."

Jack Hansen: "That's one of the requirements. It's a provisional appointment-- "

Supervisor Villella: "Maybe civil service has screwed it up."

Jack Hansen: "Because there is (inaudible)."

Councilman Cardinale: "But we don't know-- he just got a license as PE this summer."

Jack Hansen: "He just got a license, correct."

Councilman Cardinale: "And I think he's adding that these licenses are given in particular disciplines."

Jack Hansen: "Okay."

Councilman Cardinale: "We-- didn't anybody ever ask him what

did he get it in? Because if it's like in something we don't do, why would we want to give him a raise?"

Jack Hansen: "Civil service doesn't ask that question."

Councilman Cardinale: "Yeah, but we don't have to-- "

Jack Hansen: "Actually you're asking it."

Councilman Cardinale: "But I'm asking it and we don't have to give them the raise. They just say-- "

Jack Hansen: "We don't have to make him the assistant-- correct."

Councilman Cardinale: "Right. He's saying that-- just saying that you have a professional license isn't enough. You should find out what the specialty is underlying that license and make sure that it is of value to the town."

Jack Hansen: "And I guess I'm saying is that if you are going to establish the position of an assistant town engineer and a list comes forward you can't discount somebody that's got an electrical versus-- "

Councilman Cardinale: "I see, okay, now I get it."

Jack Hansen: "Because civil service isn't going to say there has to be one versus the other."

Councilman Cardinale: "It's really nice of civil service to tell you that you can't even consider the underlying specialty."

Jack Hansen: "When you get the list, it's the first three (inaudible). You get a choice of one of those three. Seriously. You don't have a choice of well, this guy has the wrong discipline or this guy is in the right discipline and he's number ten on the list. You can't get him."

Councilman Cardinale: "Is he here, Ed? Is Ed here? I'm curious as to what he got it in. Thank you. You really taught me something, both of you. Which isn't hard."

Supervisor Villella: "Anyone else like to speak? Oh, Bill,

you're still here. I'm pouring water for the gang here. I'm sorry. So ahead, Bill."

William Kasperovich: "This is one of your wishes-- "

Supervisor Villella: "No, no. It's not my wishes. Don't worry about it. You brought a lot of good information. You're concerned about the town. We've got to thank you for it. I mean there's times you get a little longwinded but you're all right. You've got your concerns where they count."

William Kasperovich: "I will-- I think the appropriate place would be comments after the resolutions-- "

Councilman Cardinale: "Thank you."

William Kasperovich: "-- for what I have. The reason I bring up the assistant engineer-- a personnel problem, Mr. Villella you know full well that the meeting in your office indicating certain aspects of concern and this does not preclude the fact that we have in the township a (inaudible) especially since-- "

(Some inaudible discussion among the Board members.)

Supervisor Villella: "With the drainage problems that the town has."

William Kasperovich: "-- might be accomplished which you have not been able to do for several decades. And in particular in the neighborhood that I live in. I will be back here (inaudible)."

Supervisor Villella: "Thank you, Bill. All right. Does anyone want to speak on resolutions? If not-- Jim."

Jim Flood: "Jim Flood, Aquebogue. On Kim Lucas' new job, is she going to take-- how does this come about? Is she taking two different positions and work half-time someplace and half-time someplace else?"

Supervisor Villella: "That's what the resolution says because it's needed, Justice Court already did hire someone in there. We made them a full-timer, it was a part-timer and they still have overtime. The court system is just overloaded so we need a part-timer over

there."

Councilman Kent: "Well, what happened is we lost somebody in Justice Court. Carol O'Hara left the town's employment. We had a part-timer and a full-timer. The part-timer became a full-timer and now we have a part-time position open."

Supervisor Villella: "And need a part-time position."

Jim Flood: "How about the other part-time position?"

Supervisor Villella: "They both asked for it, the judges asked for a part-time position and the highway asked for a part-time position and they're both in budget."

Jim Flood: "Okay. Now, but she's now considered a new hire as far as she's now being assigned as an accountant clerk typist. Is that correct?"

Councilman Kent: "Well, she already had the title of account clerk typist."

Jim Flood: "That was at one time. Then she no longer was an account clerk typist so now she's being reappointed as a account clerk typist. We need to know."

Councilman Kent: "We got into this whole thing rigamarole once before."

Supervisor Villella: "We just said this before."

Councilman Kent: "The position of town board coordinator was her title but she had an underlying civil service title of account clerk typist and she was serving as the town board coordinator."

Jim Flood: "When was she appointed to that?"

Councilman Kent: "Town board coordinator?"

Jim Flood: "No, no."

Councilman Kent: "During the Stark administration."

Jim Flood: "Account clerk typist. So that position was way

back then?"

Supervisor Villella: "No, no, no."

Councilman Kent: "I think it was in March of '99."

Jim Flood: "March of '99?"

Councilman Kent: "I think she was number one on the list, as I recall."

Jim Flood: "Don't you have to be a town resident in order to apply for-- "

Councilman Kent: "I believe at that time she was a town resident."

Supervisor Villella: "At that time, she was. You're right. You're right, Jim."

Jim Flood: "Now she's being appointed to two jobs, two part-time jobs-- "

Supervisor Villella: "What are we going to do?"

Jim Flood: "-- she's not a resident. She's not a resident of the town."

Supervisor Villella: "Yet. Right now she's not."

Jim Flood: "Does that open up the Pandora's box down the road? Are we making precedent right now saying-- "

Supervisor Villella: "Jim, you should know about the police department-- "

Jim Flood: "I'm asking you a question."

Supervisor Villella: "You're not asking me. You're asking them. But go ahead."

Jim Flood: "I'm asking the Town Board."

Supervisor Villella: "Thank you, thank you."

Jim Flood: "What I'm saying is-- what I'm asking you, doesn't she have to be a resident in order to be an account clerk typist appointed new-- now you're appointing her to two positions and she doesn't live in the town. She does not live in the town. She moved out of the town. She lived in the fair town of Riverhead and then she decided to move to the other side. The dark side."

Councilman Cardinale: "The Flanders side. Jack, I think the answer is, but I'm wrong most of the time, that when you're appointed you have to be a resident of the town. Is that correct? Tell me if I'm right or wrong. You can come on up and we've only spent hours on this particular topic. Let's spend a little longer."

Councilman Lull: "When you fulfill your provisional-- "

Jack Hansen: "The town has a preference when you do brand new hires as far as residency. If somebody does not live in the town, at the time of their appointment they are asked if they are moving into the town in six months. For example, you have another resolution before you where Joan does not live in the Town of Riverhead. I can tell you right now."

Supervisor Villella: "Right, (inaudible)."

Councilman Cardinale: "Well, Jim is pointing out that this was kind of the reverse."

Jack Hansen: (Inaudible)

Councilman Cardinale: "When she was appointed she was moving out of town, that's what his point is. But, you know, it's close."

Supervisor Villella: "Is it grandfathered then or because it's a new position like he's saying."

Jack Hansen: "Apparently there was a town ordinance or a town resolution back in 1976 that said in July of that year-- if I remember right-- it said everyone from here would be a town resident and maintain their residency. And as far as my knowledge goes, since then we have persecuted or took to task one employee and only one employee and after that stopped."

Councilman Cardinale: "He was really unpopular apparently. Why did you do that person?"

Jack Hansen: "It was a lady."

Councilman Cardinale: "Giving (inaudible) credence to the earlier comments about our treatment of women."

Jack Hansen: "In 1977 or '78."

Councilman Kent: "That would be Allen Smith's-- "

Supervisor Villella: "Well, does he have-- what Jim's saying, I mean, is it-- "

Jim Flood: "What I'm saying is, if someone-- "

Supervisor Villella: "Is it grandfathered in or because it's a new position?"

Jack Hansen: "Whenever you have promotions, you transfer people, you have-- not you as this Board, but in the past-- employees that have moved out of town and gotten promotions. Once they've been hired they're asked to move into town. Whether they move into town or not, nobody has done anything this far to deal with that."

Councilman Cardinale: "Don't a lot of our officers live out of town?"

Jack Hansen: "Excuse me?"

Councilman Cardinale: "The police officers. Don't they live out of town?"

Jack Hansen: "When we hire police officers we go through the police list and look for residency first."

Supervisor Villella: "Well even that's a fiasco."

Jack Hansen: "Once they're off of the list, they're-- they basically have been free to move out of town."

Councilman Cardinale: "Okay."

Jack Hansen: "And some have."

Supervisor Villella: "I would like to recommend to the new Town

Board to make sure at the civil service, make sure that these people that are on that list and do a thorough investigation that they did live in the Town of Riverhead and not having a phony address in the Town of Riverhead."

Jack Hansen: "A large percentage of the cops that have been hired in the last 15 years-- "

Supervisor Villella: "In the last two or three years."

Jack Hansen: "-- have been hired strictly because they've been residents but whether or not they stay in the town is another question."

Councilman Cardinale: "Thank you for that elucidation."

Jim Flood: "So it actually makes it pretty clear then that there is a resolution on the books stating that you must be a town resident or move into the town, not move out of the town, in order to take a job."

Councilman Cardinale: "It's probably also what Shakespeare said it's more honored by its breach than its observance apparently that that statement of policy, by both this and previous administrations. Because nobody checks to see if people stay in town, so what's the point? I mean they're all going to say they live in town when they want the job. It's when they get the job that you've got to check."

Jim Flood: "Well, that doesn't relieve you from the responsibility now that you know that she not only does not live in the Town of Riverhead, has moved out of the town after she was appointed to the job, what do we owe Ms. Kimberly as far as a job. You know. Now she's eligible to take a job in the Town of Southampton where she lives, not in the Town of Riverhead. She's taking a job possibly theoretically from a person who lives in the Town of Riverhead and she lives in the Town of Southampton."

Councilman Cardinale: "But she has the job, Jim, and she was appointed some time ago."

Jim Flood: "She doesn't have this job now."

Councilman Cardinale: "And if we did what you're suggesting-- no, she was appointed when she lived in the town. If we did what

you're suggesting, we'd probably have to fire half the people in town because they don't live in town. Although that is-- we could consider that. But that's what it suggests. That may be-- "

Jim Flood: "I just think that we're making a mistake because now we're opening ourselves up for possible future litigation which is, you know-- "

Councilman Cardinale: "That would be different. Yes."

Jim Flood: "What's different about that?"

Councilman Cardinale: "Right. Exactly."

Jim Flood: "Well, thank you very much."

Councilman Cardinale: "Thank you, Jim."

Supervisor Villella: "Anyone else like to speak on the resolutions? We could go into them? Thank you. Andrea, we're going to close this board meeting and go into the CDA meeting."

Meeting adjourned

Meeting reopened: 5:37 p.m.

Supervisor Villella: "We reopen the regular public hearing-- I mean the public meeting."

Councilman Cardinale: "An amendment on this, Chris?"

Councilman Kent: "Yes. I'll wait until it's called."

Supervisor Villella: "Okay. You are going to make an amendment you said, right? 1151."

Resolution #1151

Councilman Kent: "I'll call it. Resolution 1151 is a resolution to promote Robert Hubbard to the position of maintenance mechanic II. I would like to move-- first of all amend the resolution to alter his step. It should be Group 7, Step 3 and that would also reduce his salary-- I don't have the exact number on his salary. Maybe Jack could provide that to us."

Barbara Grattan: "Group 7, Step 3, Chris?"

Supervisor Villella: "Yes."

Councilman Kent: "Jack, sorry to bother you, I know you're busy."

Supervisor Villella: "I think it's \$600 less."

Councilman Kent: "Group 7, Step 3 instead of Step 4 on Resolution 3351."

Supervisor Villella: "Let me get my magic-- it's \$600 less than this-- than what we have."

Jack Hansen: "It's \$600 a step."

Supervisor Villella: "\$643."

Jack Hansen: "Okay, there you go."

Supervisor Villella: "Sounds good."

Councilman Kent: "So the salary would be down to \$30,00-- "

Supervisor Villella: "300 and something, I think."

Councilman Kent: "No, \$250 roughly."

Jack Hansen: (Inaudible)

Councilman Kent: "Okay, so just as long as it's 7-3. You understand that."

Jack Hansen: "I have the contract here."

Councilman Kent: "This is maintenance mechanic II position Step -- Group 7, Step 3."

Supervisor Villella: "I thought it was \$30,300, Jack. I thought it was \$30,300 around that area."

Jack Hansen: "Oh, I'm sorry. What group is that now?"

Councilman Kent: "7, Step 3."

Jack Hansen: "Is \$30,101.04."

Supervisor Villella: "101, okay."

Councilman Kent: "101.04. Okay. So with those two amendments I would move the resolution."

Councilman Cardinale: "Seconded."

Councilman Kent: "By the way, I should report that he was interviewed unfortunately Jim couldn't be there, it was after the work session yesterday. You had already left. He was interviewed by the Personnel Committee and we do recommend based on the advice of his superior-- his immediate superior, Dan (inaudible), and the interview I conducted with him, that he received his CDL, he's worked for the town since 1994, and we recommend that he go to Group 7, Step 3 as a maintenance mechanic II position. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1152

Councilman Kent: "I would move the resolution. This approves the expenses of Environmental Consultants, EEA, Inc. in connection with the Traditional Links zone change application."

Councilman Cardinale: "Seconded. And I ask for a discussion. In regard to this, I know that the applicant is entitled to pay-- or is required to pay \$4,000. I had hoped that the entire report would be \$4,000. It appears that it is considerably more, something like-- "

Supervisor Villella: "Ten."

Councilman Kent: "Almost ten."

Councilman Cardinale: "\$10,000-- \$9,000 and change. I'd like

to see it before we pay him."

Councilman Kent: "What, the report?"

Councilman Cardinale: "I haven't seen the report. So I don't see-- "

Supervisor Villella: "Yeah, it was-- "

Councilman Lull: "We got the report."

Councilman Cardinale: "Oh, yeah? Well, I didn't."

Councilman Kent: "The proposed findings were attached. There was a letter."

Councilman Cardinale: "I haven't seen their report. I've seen them once here where the fellow indicated that we were all wasting our time because there were no grandifolia sandhills but I haven't seen a report that I want to pay for."

Councilman Kent: "Yeah, I'm-- maybe Adam can speak on this also. I was under the impression that the-- we were going to approve the \$4,000 from the Planning Department's fees but that the balance was going to be billed through Twomey, Latham, Shea & Kelley as consultants to their offices."

Adam Grossman: "Right. That was the original plan and I think for whatever reason the consultants (inaudible) separately. We still could pay Twomey, Latham, Shea & Kelley-- "

Councilman Kent: "Can we discuss this at a work session?"

Councilman Cardinale: "I ask that it be tabled for further discussion."

Supervisor Villella: "Okay, we'll table it."

Councilman Kent: "I'll second the motion to table."

Supervisor Villella: "All right. It's moved and seconded to table."

The Vote: "Cardinale, yes, to table; Kent, yes; Kwasna, yes;

Lull, yes; Villella, yes. The resolution is tabled."

Supervisor Villella: "We've got three things for the work session. We've got the handicapped, we've got the foundation and this. Would someone write this down and make sure we have this for this Tuesday, 1 to 4."

Councilman Cardinale: "Handicap signs."

Supervisor Villella: "Handicap signs."

Councilman Cardinale: "Riverhead Foundation."

Councilman Kent: "We have to invite them."

Councilman Cardinale: "And EEA bill."

Councilman Kent: "EEA bill for services rendered."

Councilman Cardinale: "Thank you."

Supervisor Villella: "Okay, thank you."

Barbara Grattan: "Okay, resolution is tabled."

Resolution #1153

Councilman Kwasna: "This amends the site plan of McDonald's Corp. This is the McDonald's in Wading River. The fire marshal had them add a fire hydrant to their site plan. This is just a change of that. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale."

Councilman Cardinale: "I think we might want to defer and table this to allow the incoming administration-- no, I'm kidding. I'm kidding. Yes. Yes. The site plan with the fire hydrant is just great."

The Vote (Cont'd.): "Kent, yes; Kwasna, yes."

Supervisor Villella: "The dog comes with it."

Councilman Cardinale: "Yes, the dog comes with it, right."

The Vote (Cont'd.): "Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1154

Councilman Lull: "Appoints public safety dispatcher I in the police department, Tanya Gordon. So moved"

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1155

Councilman Kwasna: "This appoints a part-time animal control officer in the police department. So moved."

Councilman Cardinale: "Well-- seconded."

Supervisor Villella: "Why is it in the police department?"

Councilman Lull: "Question there, yes. If he's working under Johnny Reeve I don't think it should be-- "

Supervisor Villella: "Right. We've got to amend that. It's not in the police department. We took it away from the police department."

Councilman Cardinale: "That's a comfort."

Supervisor Villella: "Sanitation."

Councilman Kent: "Also, I'd just like to report before we vote on that, if we can have a little discussion. We interviewed Mr. Drake twice, the Personnel Committee. He came in and responded to both our full-time and our part-time positions. He does not now live in the Town of Riverhead but he has told us that he will move into the Town

of Riverhead in the six month period."

Councilman Cardinale: "And we will follow up on that with the same degree of diligence we generally do."

Councilman Kent: "And by the way-- "

Councilman Lull: "However, he is a part-timer, so we have nothing to worry about-- the requirement-- "

Councilman Kent: "And also nobody from the Town of Riverhead interviewed for the position. Both the people we interviewed on two occasions all lived outside the town."

Councilman Kwasna: "I'll move the resolution as amended."

Councilman Cardinale: "And the amendment is to delete the in the police department?"

Supervisor Villella: "Yes."

Councilman Kent: "Sanitation Department."

Councilman Cardinale: "And add in the Sanitation Department. With that amendment, I second it."

Supervisor Villella: "Thank you. Moved and seconded."

The Vote: "Cardinale."

Councilman Cardinale: "I'm pleased to vote yes for this and I think this is-- I hope this is some small recompense to Vinny who is apparently unable to get the Burman deal passed today but at least he got his animal control officer part-time, which I think we spent about as much time on as the Grumman deal in the last year."

Supervisor Villella: "All the parts of the puzzle are in place now. Everything is fine."

Councilman Cardinale: "Okay, great. I'm glad. Yes."

The Vote (Cont'd.): "Kent, yes; Kwasna, yes; Lull, yes; Villella, yes."

Supervisor Villella: "And also I'm speaking to the TV-land out there, volunteers, you're welcome to come up there so please on the weekends, just go there and help out."

Councilman Lull: "Yes. Fred will be working on weekends. So have it open on weekends for now."

Barbara Grattan: "Okay, resolution is adopted."

Resolution #1156

Councilman Kent: "This approves police officer Tony Bassi's request for a leave of absence to serve active duty. So moved."

Councilman Lull: "Oh, I'm sorry. Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1157

Councilman Cardinale: "This is a promotion to assistant town engineer for our own Ed McCarthy, lovable as he is, and it would raise his salary to \$49,930.31. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale."

Councilman Cardinale: "Yes. I'm going to vote yes on this although I do acknowledge the (inaudible) surprising (inaudible) of the point that Bill Kasperovich made. And I will inquire as to what specialty this license is and it is my hope it is in some specialty that will have some value to the town. But I understand that we need to do this because he got his certificate and he won't stick around if we don't-- "

Councilman Kent: "He got his license."

Councilman Cardinale: "His license, I'm sorry. So I vote yes."

The Vote (Cont'd.): "Kent, yes; Kwasna, yes; Lull, yes; Villella, I vote yes on it, too. The resolution is adopted."

Resolution #1158

Councilman Lull: "Authorizes the Supervisor to execute a change order for advanced wastewater treatment facility upgrade and improvements. So moved."

Councilman Cardinale: "I'm seconding this."

Councilman Lull: "It's just a small contract for \$5,735,000."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale."

Councilman Cardinale: "Well, the joyous thing about this is that the change here-- the change order is for a 30 day extension of performance time to factor in the fact that they didn't get started in time because of us and other considerations. So I'm pleased that it's not an increase and I'll vote yes."

Councilman Kent: "Yes. It's at no additional cost."

Councilman Cardinale: "No additional cost."

Councilman Kent: "Yes."

The Vote (Cont'd.): "Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1159

Councilman Kent: "This is agreeing to the assignment of a contract for the collection and disposal of solid waste for the Town of Riverhead refuse and garbage district. What had happened here is the low bidder for three of the districts in the town sold the business and part of the assets of the company that were sold were the low bids that he had received for three of the districts. So the contracts were sold and the new company is taking over from George's Sanitation, Waste Management is the new company that has purchased George's Sanitation. And they'll be servicing the three districts. So we're going to assign that contract and see how they perform. So

moved."

Councilman Kwasna: "Seconded."

Councilman Cardinale: "I have a suggested addition. At the end of this it indicates that we're going to accept the assignment or acknowledge the assignment. I would like to and execute any other documents related to the assignment-- I would like to add the words provided George's Residential Sanitation Service, Inc. remains liable under the contract. I don't want-- I want it clear that the assignment does not remove their liability and nothing else should be signed that does that. So if Waste doesn't perform, we'll get-- we can move against George's. So with that-- I would ask that that addition be considered."

Supervisor Villella: "But we have a problem with Waste Management."

Councilman Cardinale: "At the end, I'm asking that it be provided George's Residential Sanitation Service, Inc. that it read provided George's Residential Sanitation Service, Inc. remain liable under the contract after the word assignment in the final paragraph."

Councilman Kent: "Also that we-- another proviso should be that they're required to produce new bonds in the name of Waste Management."

Supervisor Villella: "Further discussion. I'm not so happy with this. I mean it was great to see that George got the contract but we have a problem with Waste Management up at our landfill now. So why the hell do we want to continue with them and reward them-- (inaudible)."

Adam Grossman: "I just want to bring one point, Vinny, that you didn't get a chance to understand that we did-- "

Supervisor Villella: "They're charging our residents to drop off waste-- I mean not waste but leaves, limbs, you know, branches, they're charging our own people. I don't think that's fair."

Adam Grossman: "The alternative to assign the contract to another carter would be to put it out to bid again. To put it out to bid again, these contracts-- first of all we have a problem in the timing of all this, that is we'll be in a bit of a crisis at the end

of the year because the contracts are going to terminate and secondly we may get bids that are higher. In other words, we may be paying more-- "

Supervisor Villella: "I realize that but you put your enemy in bed with you? Well, maybe you do. This way you keep-- make sure you watch them, the new Town Board. Make sure you're on top of these guys."

Adam Grossman: "That's what-- those are the issues that I--"

Supervisor Villella: "Because we're not happy-- they're not treating the town right the way it is now, Ed, so really be on top of these guys."

Councilman Kent: "Well, it's the east end of the town so, you know, it's Jamesport."

Supervisor Villella: "It's Phil's area."

Councilman Cardinale: "Yeah, right. Great contract."

Councilman Kent: "I have Crown Sanitation."

Supervisor Villella: "Okay."

Councilman Cardinale: "I want to point out, this was acknowledged to be a very good bid, correct?"

Supervisor Villella: "We've got to take a vote on it. Very good, very good."

Councilman Cardinale: "This is a very attractive price and some day they may actually pick up the garbage."

Supervisor Villella: "Thank you. Let's have a vote on this, please."

The Vote: "Cardinale, yes, as amended; Kent, yes; Kwasna, yes; Lull, yes; Villella, no. We have four yes and one no. The resolution is adopted."

Resolution #1160

Councilman Kwasna: "1160 waives Planning Board fees, fees relating to what would be incurred by the CDA as the owner of the Calverton Enterprise Park. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1161

Councilman Cardinale: "This authorizes-- or is an authorization to publish a bid for diesel fuel. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1162

Councilman Kent: "This is an authorization to publish a bid for propane. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Jack, who is using propane in the Town of Riverhead?"

Councilman Lull: "The highway department is; the dog pound is."

Supervisor Villella: "When's the conversion? I thought we were going-- "

Jack Hansen: "(inaudible) end will be having gas propane for a while."

Supervisor Villella: "You need Pepto Bismol? You have gas? I'm only kidding. You've got to joke around a little bit."

Jack Hansen: "At the day care center and Stotsky Park, that's propane."

Supervisor Villella: "That's the most expensive-- "

Jack Hansen: (Inaudible)

Supervisor Villella: "That's even worse."

Councilman Kent: "Is that true? He said-- "

Jack Hansen: "We're trying to get a contract, a bond authorization, we're waiting the 30 day permissive referendum (inaudible)."

Supervisor Villella: "So the conversion is-- we've been waiting for three or four months, okay. Make sure, okay, make sure you stay on top of that and they can convert. You could have some gas. Okay, let's do a vote."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1163

Councilman Kwasna: "Authorization to publish a bid for medical supplies. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1164

Councilman Cardinale: "This extends a contract with Arthur J. Gallagher & Co. and Oracle Management Services, Inc. at an increase in price from 297 from last year to 335 for this year which brings me to request some discussion in addition to moving it."

Councilman Kent: "But it's still lower than-- "

Supervisor Villella: "But it's still lower than '97-'98."

Councilman Kent: "We-- remember this? We went through a (inaudible) negotiation on-- "

Supervisor Villella: "Was this put out to bid or anything?"

Councilman Kent: "Insurance."

Councilman Cardinale: "All right. So moved at the moment."

Supervisor Villella: "It's moved. Is there a second or discussion? What do you want-- let's have a second and then have some discussion."

Councilman Lull: "I'll second it."

Supervisor Villella: "All right. Moved and seconded. Is there any discussion?"

Councilman Cardinale: "Yeah, I note that the increase is significant, 12%, and I understand this is our insurance package with this company. I don't recall discussing why it went up that high."

Supervisor Villella: "This wasn't brought up at a work session?"

Councilman Cardinale: "It's 12% because I don't think it's-- I've seen it at a work session. But since it's-- "

Councilman Kent: "It also came up yesterday."

Councilman Cardinale: "In any event, can anybody explain to me why it went up 13% this year? Jack?"

Councilman Kent: "Jack would be the only one. He's the man for insurance."

Councilman Kwasna: "All the accidents we've been having."

Jack Hansen: "We've had heavy work comp-- worker's comp."

Councilman Cardinale: "This is the worker's comp carrier?"

Councilman Kent: "Yeah, but-- "

Jack Hansen: "That's part of that package-- is worker's comp."

Supervisor Villella: "Yup. I thought it was 50. How come it's 75 now? I thought worker's comp was 50?"

Councilman Kent: "The SIR."

Jack Hansen: "That would be even higher of a premium."

Supervisor Villella: "Oh, didn't we have 50?"

Jack Hansen: "Currently this year it is 50,000 SIR."

Supervisor Villella: "Right. Now, we're jumping up to 75 and paying more?"

Jack Hansen: "And (inaudible) it is for 75,000 SIR."

Supervisor Villella: "And we're still paying more."

Councilman Cardinale: "So we're moving from a SIR-- would you translate that for the public, please?"

Jack Hansen: "Self-insured retention. We are self-insured prior to-- it's not a deductible. It's prior to-- "

Supervisor Villella: "We pay the first \$75,000-- "

Councilman Cardinale: "So the first \$75,000 of worker's comp claims we pay?"

Jack Hansen: "Under this proposal, the first 75,000-- "

Councilman Kent: "It's cumulative though, right?"

Councilman Cardinale: "In the previous-- cumulatively."

Councilman Kent: "Right."

Councilman Cardinale: "Cumulatively."

Jack Hansen: "Or if you are an employee, whether it be medical,

whether it be indemnity."

Councilman Kent: "This is per occurrence? No, this is-- "

Jack Hansen: "The SIR is per occurrence."

Councilman Kent: "Oh, you're kidding me."

Councilman Cardinale: "So, wait, let me see if I've got this right. They don't pay-- they used to not pay the first 50,000, now they don't pay the first 75,000, plus we're giving them 13% more."

Supervisor Villella: "Right."

Councilman Cardinale: "Has anyone considered a new estimate? A new bid? A new guy?"

Jack Hansen: "Well, in 1978-- 1987 we were paying well over a million dollars on worker's comp."

Councilman Cardinale: "And now we're-- "

Jack Hansen: "It's strictly on worker's comp."

Councilman Cardinale: "So this is better than that but not very good. No, seriously."

Jack Hansen: "If we can hold our costs down on worker's comp, we will have a better experience. We had a bad experience this year. We had a couple of several large cases awarded."

Supervisor Villella: "Yeah, for-- "

Councilman Cardinale: "People falling down on the job?"

Jack Hansen: "Excuse me?"

Councilman Cardinale: "People falling down on the job?"

Jack Hansen: "No comment."

Councilman Cardinale: "Yeah, I just want to make sure I understand this. Self-- SIR-- self-insurance retention is 75,000 and Chris asked the question is it cumulative. You mean every single

incident we pay the first 75,000?"

Jack Hansen: "That is correct."

Councilman Cardinale: "What kind of insurance is that?"

Jack Hansen: "Prior to that it was the first 50."

Councilman Cardinale: "So that if somebody makes a workman's comp claim of 75,000, we've got to pay it out of our pocket plus we have to pay \$335,000 annually in premiums?"

Jack Hansen: "That is-- "

Councilman Kent: "That's the total-- "

Councilman Kwasna: "Pay a million dollars in premiums."

Jack Hansen: "We pay the premiums up front and have a good experience and still pay a million dollars. But, again, what I'm saying to you is in 1987 we were paying over a million dollars strictly on worker's comp. This includes liability."

Supervisor Villella: "Why don't you give them the history. It does save money over the period."

Jack Hansen: "Also-- "

Councilman Cardinale: "I don't want to talk about it too long but I do-- I am concerned that it went up this far."

Jack Hansen: "Well, one of the issues is this little thing in Calverton called Grumman or the Grumman property-- "

Councilman Cardinale: "Yeah-- "

Jack Hansen: "-- that has increased our exposure. We have more buildings. We have more property."

Councilman Cardinale: "Have you gotten a comparative quote?"

Supervisor Villella: "We sell it."

Jack Hansen: "Then the price will come back."

Supervisor Villella: "Make sure it does."

Jack Hansen: "Yes."

Supervisor Villella: "Okay, thank you."

Jack Hansen: "It already has (inaudible)."

Supervisor Villella: "Okay, that's another reason to sell it, Ed."

Jack Hansen: "Because of that property that's bringing (inaudible) also. That's one of the-- "

Supervisor Villella: "Look at all these pros we've got. Okay."

Councilman Lull: "Phil, every two-- Phil, every two years or so we have to take a look-- "

Councilman Cardinale: "You look at it."

Councilman Kent: "We looked at it last year, remember?"

Councilman Cardinale: "Yup, that was really boring."

Councilman Lull: "And two years before that, so-- "

Councilman Kent: "No, it wasn't two-- "

Supervisor Villella: "It does save money-- okay, we could vote on it now."

Councilman Cardinale: "Okay."

The Vote: "Cardinale."

Councilman Cardinale: "I'm going to vote to abstain on this vote because I think this like the fire hydrant is one of those things that Mr. Kozakiewicz ought to look at."

The Vote (Cont'd.): "Kent."

Councilman Kent: "Is this insurance contract up at the end of

this year, December 31?"

Councilman Kwasna: "December 30th."

Councilman Kent: "December 30th? So, I'm going to vote yes because I don't want to be uninsured."

Jack Hansen: "December 30th is-- the current policy expires."

Supervisor Villella: "You are uninsured-- "

Councilman Cardinale: "You have a 30 day grace period in every insurance policy I ever knew."

Supervisor Villella: "Yeah, they can't cancel until they give you first notice, second notice, cancel."

Councilman Cardinale: "But don't worry; you've got three votes."

Supervisor Villella: "You've got them already?"

Barbara Grattan: "Councilman Kent, are you voting yes?"

Councilman Kent: "I'm voting yes."

The Vote (Cont'd): "Kwasna, yes; Lull, yes; Villella."

Supervisor Villella: "I didn't even know we had this coming in front of us so I didn't have any discussion on it, so I have to abstain, too."

Councilman Cardinale: "Well, we tried. What can we say?"

Barbara Grattan: "So we have 3 yes and 2 abstentions. The resolution is adopted."

Resolution #1165

Councilman Kwasna: "This appoints-- appointing of detention attendants. There's three of them on the list. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1166

Councilman Kwasna: "Authorizes the Supervisor to execute agreement with Suffolk County Youth Bureau. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale."

Supervisor Villella: "Just say yes."

Councilman Kent: "Yeah, we're getting money on this."

Councilman Cardinale: "Yeah, we're getting money. That sounds good."

The Vote (Cont'd.): "Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1167

Councilman Cardinale: "Thank you for giving me this-- my resolution. It adopts a local-- "

Supervisor Villella: "It's my going away present."

Councilman Cardinale: "Yeah, thank you. It adopts-- I hope that both Ed and Bob are deeply concerned about the dogs of our town because at least 50% of my time and the police captain's time have been spent on it during the past two years which isn't much in terms of my salary but in terms of the police chief it's-- police captain, it's mind boggling.

Resolution adopts a local law for amending Chapter 58 of Dogs, once again, and by crossing out some words. So moved."

Councilman Kent: "Do you think we should give a copy of this to

the sanitation department?"

Barbara Grattan: "We will."

Councilman Cardinale: "We will."

Councilman Kent: "Because it says Capt. Hegermiller but it doesn't-- "

Supervisor Villella: "No, no-- "

Councilman Cardinale: "No more to Capt. Hegermiller."

Councilman Kent: "I'll second it."

Supervisor Villella: "Moved and seconded. It goes to the sanitation department."

The Vote: "Cardinale."

Councilman Cardinale: "Reading resolutions we have passed, that's taken Capt. Hegermiller half of his time and he gets copies of every one. Yes."

The Vote (Cont'd.): "Kent, yes."

Councilman Kent: "Since this increases fees and allows us to get more money maybe from our control of dogs, I will vote yes."

The Vote (Cont'd.): "Lull, yes; Villella."

Supervisor Villella: "Restraining run away dogs. Yes."

Councilman Kwasna: "Did you ask me already?"

Barbara Grattan: "The resolution-- "

Councilman Kent: "You didn't call Kwas."

Councilman Kwasna: "I'm not gone yet."

The Vote (Cont'd.): "Kwasna, yes. Lull, yes; Villella, yes.
The resolution is adopted."

Resolution #1168

Councilman Kent: "This authorizes the Town of Riverhead to secure, demolish or remove unsafe building or structure pursuant to Chapter 54 of the Riverhead Town Code property owned by Sophie Semaschuk-- I think who is deceased, so I think it's owned by the Estate, at 1031 Parkway Street. So moved."

Councilman Cardinale: "Seconded. And I think one of things that's been very well done by your administration, Vinny, is tearing down these dilapidated buildings. I'm a little concerned about tearing down a dead woman's dilapidated building but on the advice of our building department, I think we'll do it anyway."

Supervisor Villella: "I wonder if she has an address-- "

Councilman Cardinale: "I second this."

Supervisor Villella: "She has an address on that resolution-- 1387 William Floyd. It's a wake up call."

Councilman Cardinale: "I have confidence that they gave the proper notices as they always do."

Councilman Kent: "This is the one with the refrigerator."

Supervisor Villella: "It's moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1169

Councilman Kwasna: "Authorizes the Supervisor to execute a voucher and release Last Will and Testament request of Riverhead Town volunteer ambulance corps. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale."

Councilman Cardinale: "This is \$3,000 to the ambulance corps by

some-- "

Supervisor Villella: "The Conklin family."

Councilman Cardinale: "-- Diana Conklin, and we thank them.
Second-- what am I doing? I'm voting yes. Yes."

The Vote (Cont'd.): "Kent, yes; Kwasna, yes; Lull, yes;
Villella, yes."

Supervisor Villella: "And, again, I want to thank them for the
donation."

Barbara Grattan: "The resolution is adopted."

Resolution #1170

Councilman Lull: "Approves the application for a fireworks
permit of Riverhead Community Development Agency. So moved."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes."

Councilman Cardinale: "I believe that the (inaudible) we
receive now relate to the insurance and I'm comforted to hear that
they're insured and I would vote yes."

The Vote (Cont'd.): "Kent, yes; Kwasna, yes; Lull, yes;
Villella, yes."

Supervisor Villella: "And I want to invite everybody-- I've
been saying, 9:30 p.m. It will be on Grumman Blvd. outside the fence.
There will be plenty of parking and you could see the fireworks from
there. So it's free for everybody. So please come down and watch the
great fireworks show provided the weather is good. 9:30, New Year's
Eve."

Barbara Grattan: "The resolution is adopted."

Resolution #1171

Councilman Cardinale: "Yeah, this-- "

Councilman Kent: "We just had the public hearing on this."

Councilman Cardinale: "We're going to suggest-- I am going to suggest because Chris just suggested to me-- that we might want to table this because we just had the public hearing on this and I now know we have established tradition of not doing votes on the same day as public hearings."

Supervisor Villella: "Oh, that's right. You've got to keep that enforced now. Remember that, guys."

Councilman Cardinale: "So I would ask that it be tabled for further consideration at the next meeting."

Supervisor Villella: "Unless it's an emergency or something."

Councilman Kent: "Is there a reason? Are we closing this very soon, Adam?"

Adam Grossman: "Not that I'm aware of."

Councilman Kent: "Yeah, I'm not aware of it either. Okay."

Supervisor Villella: "Unless they needed it for a tax write off, end of the year or something?"

Councilman Kent: "I don't think we're closing this-- Adam would be aware of the closing if it was scheduled for the rest of the-- the remainder of this year."

Councilman Cardinale: "So-- "

Barbara Grattan: "Who's seconding it? Kwasna?"

Councilman Kwasna: "Yeah, I'll second it."

Supervisor Villella: "It's moved and seconded to table to the next Town Board meeting."

The Vote: "Cardinale, yes, to table; Kent, yes; Kwasna, yes; Lull, yes; Villella."

Supervisor Villella: "And the only reason why we're tabling it - it's a great project for the town but we're tabling it because we just did the public hearing like Phil just said and I hope you continue that, make sure you do continue that, guys, up here, that you don't have a resolution in front of you when you have a public hearing there. Unless it's an emergency."

Barbara Grattan: "Okay that resolution is adopted."

Supervisor Villella: "Yes."

Resolution #1172

Councilman Kwasna: "Authorizes the release of a performance bond of Riverhead Landing Apartments. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

Councilman Lull: "What about the first resolved clause?"

Supervisor Villella: "Leroy?"

Councilman Kent: "That's right."

Supervisor Villella: "Yeah, he gets it."

Councilman Lull: "Now, therefore, be it resolved-- "

Councilman Cardinale: "Oh, yeah, that's great, spelling."

Councilman Lull: "Sorry. It's just-- "

Supervisor Villella: "Yeah, just a little-- I thought Leroy was getting some money here."

Councilman Kent: "Why do they attach the performance bond when we're releasing it? That's kind of weird."

Supervisor Villella: "Oh, wait a minute. This is security. What about letter of credit? We're doing-- okay, we're giving it back."

Councilman Kent: "Yeah, they're finished."

Barbara Grattan: "Mr. Cardinale, did you vote yes? No?"

The Vote: "Cardinale, yes; Kent, yes; Kwasna-- "

Supervisor Villella: "Oh, here we go. We've got letters of credit now."

The Vote (Cont'd): "-- yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1173

Councilman Kent: "This accepts the irrevocable letter of credit of Tanger Properties, Ltd. Partnership. So moved."

Councilman Lull: "I'll second it."

Supervisor Villella: "Was it seconded?"

Councilman Kent: "Yes."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale."

Councilman Cardinale: "Oh, this is a vote?"

Barbara Grattan: "Yes."

Councilman Kent: "We're just accepting a letter of credit."

Supervisor Villella: "That's all."

Councilman Cardinale: "Oh, yeah, well, I'm perfectly willing to accept letters of credit. I'm just curious as to-- "

Councilman Kent: "This is for that building that stands out in the middle of the parking lot there."

Councilman Cardinale: "This is that new building at Tanger. The one that we had some questions for the IDA on it there."

Councilman Kent: "Right. But this just accepts the letter of credit."

Councilman Cardinale: "Okay, we'll ask those questions later. I would vote yes to take their letter of credit."

Barbara Grattan: "Yes. Okay."

The Vote (Cont'd.): "Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1174

Councilman Lull: "Accepts performance bond of Atlantis Marine World. So moved."

Councilman Cardinale: "Say, yes. Chris is seconding, aren't you?"

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1175

Councilman Cardinale: "This resolution accepts the letter of credit of Wal Mart Stores, Inc. So moved."

Councilman Lull: (Inaudible) "So moved-- I mean, second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes."

Supervisor Villella: "Thank God we can clean up that area, that shopping center. Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #1176

Councilman Lull: "Accepts Suffolk County National Bank irrevocable letter of credit of Zoumas Contracting Corp. - Fox Meadow Estates road and drainage improvement fees. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale."

Councilman Cardinale: "Sure, we'll take the letter of credit."

The Vote (Cont'd.): "Kent, yes; Kwasna, yes; Lull, yes; Villella,"

Supervisor Villella: "I've got to thank you, Adam, for bringing that to our attention, these letter of credit things. You brought that to the Board, change the code and everything. So, it's good."

Councilman Kent: "You'll always be remembered."

Supervisor Villella: "You will always be remembered."

Councilman Cardinale: "That and the dogs."

Adam Grossman: "Well, thank you."

Supervisor Villella: "Okay. Yes."

Councilman Cardinale: "Is Adam going somewhere?"

Resolution #1177

Councilman Kwasna: "Accepts Suffolk County National Bank irrevocable letters of credit of 1994 Soundview Golf, Inc. for the Sound Breeze Subdivision Section 4. So moved."

Councilman Kent: "But it is tougher to say than performance bond. Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1178

Councilman Kent: "This is a resolution and consent approving the dedication of highways known as Dogwood Lane South and Bayberry Road. So moved."

Councilman Kwasna: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent."

Councilman Kent: "If Mark's prepared to accept them-- yes."

The Vote (Cont'd.): "Kwasna, yes; Lull, yes; Villella, yes.
The resolution is adopted."

Resolution #1179

Councilman Cardinale: "This resolution authorizes an agreement between the Riverhead Business Improvement District Management Association, Inc. and the Town of Riverhead. I will move it and then I will ask some questions."

Councilman Kent: "Yeah, I have some questions, too. Seconded."

Supervisor Villella: "Moved and seconded with discussion."

Councilman Cardinale: "Okay."

Councilman Kent: "Where does the money come from?"

Councilman Cardinale: "That's the first question."

Councilman Kent: "Does anybody know?"

Councilman Cardinale: "That's probably my only question."

Supervisor Villella: "All right, Jack."

Councilman Kent: "Jack, you're on, bro."

Supervisor Villella: "Jack and the beanstalk, come on."

Councilman Cardinale: "Jack, this resolution calls for-- "

Councilman Kent: "This is bid money, \$36,000-- \$3,000 a month."

Councilman Cardinale: "Where did the money come from that is being to BID under this agreement?"

Councilman Lull: "That's the district taxes."

Councilman Cardinale: "District taxes. Just tell me."

Jack Hansen: "I wasn't paying attention to your discussion-- "

Councilman Kent: "Oh, I thought you paid attention."

Councilman Cardinale: "1179 is the resolution. It authorizes an agreement between Riverhead Business Improvement District Management Association, Inc. and the Town of Riverhead, whereby the Town of Riverhead gives to BID \$3,000 a month. My question and Chris' is, are these tax-- are these BID district monies or other monies?"

Jack Hansen: "Business Improvement District of which you people are the Board of Directors-- "

Councilman Cardinale: "Right."

Jack Hansen: "-- authorizes to the Business Management Association to operate and consult with you and for that and run the Business Improvement District and for that you pay \$2,000 a year."

Councilman Cardinale: "It's \$36,000 a year."

Jack Hansen: (Inaudible)

Councilman Cardinale: "And where does the money come from?"

Jack Hansen: "Taxes."

Councilman Cardinale: "The general fund?"

Councilman Kent: "No, no. BID."

Supervisor Villella: "No. BID."

Councilman Cardinale: "So they collect the taxes-- "

Supervisor Villella: "And they do what they want with it."

Councilman Cardinale: "-- and then we make an agreement with them that with these monies we're going to give you \$3,000 a month to administer the improvements that are being done. But it's not general fund taxes. I'm a happy guy then."

Jack Hansen: "No, it's not. The \$3,000 basically is to run their organization."

Supervisor Villella: "I like you when you're happy."

Councilman Cardinale: "I'm happy then."

Councilman Kent: "And do you know to what purpose this money is being put? Is there some type of-- "

Jack Hansen: "Basically the employees."

Councilman Kent: "The employee, okay. That's what I thought. Said this was Vicky's money."

Councilman Cardinale: "So we're giving like \$36,000 to Tim Yousik-- "

Councilman Kent: "No, Vicky Staciwo."

Supervisor Villella: "No, Vicky."

Jack Hansen: "He's the president. He gets the \$36,000."

Councilman Kent: "It's been moved and seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1180

Councilman Kent: "Okay, this is the one-- we need to amend this."

Supervisor Villella: "Right."

Councilman Kent: "In the third whereas clause, I picked up there was a mistake. It says that whereas it has now been determined - we want to delete the words to purchase more than one ambulance and. With those words stricken, I think we can move the resolution. It should read it has now been determined that the maximum estimated cost of such capital project is \$390,000. And this is a resolution authorizing the issuance of an additional \$40,000 in serial bonds of the Town of Riverhead, Suffolk County, New York to pay the additional cost of the preparation of a comprehensive master plan for said town. This is our match to prepare a local waterfront revitalization plan for downtown-- I believe are all waterfront areas."

Councilman Cardinale: "Seconded."

Councilman Kent: "All waterfront areas throughout the town."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale."

Councilman Cardinale: "Yeah, we decided to spend \$40,000 more because we get \$20,000 back and it seemed like a good deal. So I vote yes."

The Vote (Cont'd.): "Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1181

Councilman Kwasna: "This approves application of Riverhead Theatre Corp. for New Year's Eve gala. So moved."

Councilman Lull: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1182

Councilman Lull: "Authorizes the Town Clerk to publish and post

public notice to consider a local law to amend Chapter 108 entitled Zoning of the Riverhead Town Code."

Councilman Kent: "I would move-- I'm sorry-- we haven't seconded it."

Councilman Kwasna: "Seconded."

Supervisor Villella: "Seconded. Discussion."

Councilman Kent: "I would just ask that maybe we put this on the 18th of January rather than the 4th of January. I don't think we should be having this public hearing at our organizational meeting."

Councilman Lull: "I don't think so either."

Supervisor Villella: "You're going to have enough that night."

Barbara Grattan: "Are you going to table it?"

Councilman Kent: "No. I would just amend the notice-- "

Supervisor Villella: No, just amend it to the 18th."

Councilman Kent: "-- to read the 18th of January at 7:20."

Barbara Grattan: "Well, we don't know if it can be 7:20 because we've got to check the calendar to see if we've got any more on there."

Councilman Kent: "Okay. We'll have it on the 18th."

Barbara Grattan: "I'll have it and I'll make the time."

Councilman Kent: "You can have it at midnight. What the heck, let's have a long meeting that night."

Supervisor Villella: "Oh, you're already-- four hours."

Barbara Grattan: (Inaudible)

Supervisor Villella: "Yes."

The Vote: "Cardinale, yes, as amended; Kent, yes; Kwasna, yes;

Lull, yes; Villella, yes. As amended."

Resolution #1183

Councilman Lull: "1183 to 1199 are all budget adjustments. The other ones are budget adoptions. So these are all budget adjustments and I move the whole stack of them, 1183 to 1199."

Councilman Kent: "Except I just have one question and maybe Jack could step up on this. 1183 and 1205-- "

Councilman Lull: "Not 1205 now, just 1183-- "

Councilman Kent: "Yeah, I know. But I just wondered that there's some kind of-- "

Supervisor Villella: "Duplication."

Councilman Kent: "Duplication of transfers there. You don't have the resolutions in front of you, do you, Jack? Would you like to look at mine because I want to show you what I'm seeing and I think there's some kind of duplication of transfers. And maybe we-- before we move this resolution. See that-- and see this."

Supervisor Villella: "915."

Councilman Lull: "The 176 you mean."

Supervisor Villella: "Yeah, but it's from a different-- "

Councilman Kent: "I know, I know. I just want to square this away. It's the same money. So we're transferring it twice?"

Jack Hansen: "It's an expense here and it's a revenue here."

Councilman Kent: "And then it's going to there, but then it's going to there."

Jack Hansen: "But then it's going to the expense so (inaudible)."

Councilman Kent: "Well, it's coming from appropriated fund balance-- so then you put it into here and then you take-- but you're not taking it from here-- "

Supervisor Villella: "No, no. They're the same exact except for he's just doing a transfer from one end to the other."

Councilman Kent: "Jack, that's like double-- "

Supervisor Villella: "He took it out of one-- "

Councilman Kent: "No, I know. Look at 1205."

Supervisor Villella: "This is just an accounting, that's all. But it's the same thing. Thank you. Okay. Accounting we do know."

Councilman Kent: "Look at 1205. He's taking the money-- "

Councilman Cardinale: "He's putting it into the general fund."

Supervisor Villella: "And then taking it out and putting it into-- it's a washout."

Councilman Cardinale: "Why doesn't he do it all at once?"

Supervisor Villella: "Don't go away too far now."

Councilman Kent: "Here to there."

Councilman Cardinale: "Because he never does anything (inaudible)."

Supervisor Villella: "Okay, it was moved and-- "

Barbara Grattan: "We've got from 1183 to 1199."

Supervisor Villella: "Moved and seconded?"

Barbara Grattan: "And we moved and seconded it?"

Supervisor Villella: "We moved and seconded-- "

Councilman Cardinale: "Yeah, seconded."

The Vote: "Cardinale, yes; Kent."

Councilman Kent: "I'm going to abstain. I'm dissatisfied with the explanation."

Supervisor Villella: "Oh you lawyers are all the same. You should take an accounting degree."

Councilman Cardinale: "You can do that to 1205, right?"

Councilman Kent: "I'll do that on this one, what the heck, you guys probably have enough votes."

Barbara Grattan: "So you're not going to vote on it?"

Councilman Cardinale: "He's abstaining."

Councilman Kent: "I'll abstain on all of them."

The Vote (Cont'd.): "Kwasna, yes; Lull, yes; Villella, yes.
The resolutions are adopted."

Councilman Kent: "What numbers were those, up to what?"

Councilman Cardinale: "1199."

Supervisor Villella: "1199. 12-- to 1205 is the same."

Councilman Cardinale: "And I think that if we abstain on every vote in which Jack gave us an unsatisfactory resolution we would not pass hardly anything."

Councilman Kent: "I usually can follow it. That one I didn't like the explanation."

Barbara Grattan: "Okay, so we'll do #1200. Councilman Kent."

Resolution #1200

Councilman Kent: "This is the 99 Downtown Sidewalk capital project budget adoption."

Supervisor Villella: "To 1205."

Councilman Kent: "No, 1200."

Supervisor Villella: "Yeah, but you're going-- they're all budget adjustments. Are you going to do them all together?"

Councilman Kent: "No, well, this is a capital project."

Supervisor Villella: "Okay, this is a capital. Okay."

Councilman Cardinale: "It's not designated so I'll move it."

Councilman Kent: "No, I just moved it."

Councilman Cardinale: "Then I'll second it. I'll do something with it."

Supervisor Villella: "Moved and seconded."

Councilman Kent: "I can't even read it."

Councilman Cardinale: "Yeah, I know."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes."

Barbara Grattan: "You moved it, right?"

Councilman Kent: "Yes."

Councilman Cardinale: "This is Kwasna and me."

Resolution #1201

Councilman Kwasna: "Community Preservation Fund budget adoption."

Councilman Cardinale: "Seconded."

Supervisor Villella: "We won't tell them, Barbara."

Councilman Kent: "Can I just make one comment on this? This is the first time we're using the Community Preservation Fund I believe. We're using 2% monies that have been collected on transferred real estate to preserve-- to purchase a portion of the land that's being preserved. Farmland. So I think it's a historic vote."

Councilman Cardinale: "I should say something on that. I recently had a large transaction and there was a large payment to the preservation fund. I tried to explain it to the client that they were

buying-- they were seeking to preserve-- helping to preserve a piece of farmland and the guy's comment was where is it? I'd like to visit it in view of the fact that I just paid ten grand."

Councilman Kent: "Well, there it is."

Councilman Cardinale: "Maybe it's here."

Councilman Kent: "Part of it anyway."

Councilman Cardinale: "So these are real-- these are real monies. People are really paying them at these closings. This is that 2%-- "

Councilman Kent: "Yes. By the way, oh, by the way, another reason on the Calverton deal, when we close that if we sell the property we're going to realize \$337,000 to the Community Preservation Fund from the sale of the Calverton core property alone. You get 2%-- "

Councilman Cardinale: "That amount over \$150,000-- "

Councilman Kent: "Over \$150,000, so that's another \$337,000 into the Community Preservation Fund once we close on that transaction, so that's-- excuse me-- no, in addition to."

Councilman Cardinale: "If-- any transfer in the Town of Riverhead or any other of the three east end towns on this side of the river-- "

Councilman Kent: "Different (inaudible) though-- "

Councilman Cardinale: "-- 2% of that amount over \$150,000 on improved property has to be paid by the seller-- "

Councilman Kent: "By the purchaser."

Councilman Cardinale: "-- by the purchaser into the-- "

Councilman Kent: "By the purchaser."

Councilman Cardinale: "Yes. And then on vacant land it's 2% of everything over-- "

Councilman Kent: "\$75."

Councilman Cardinale: "-- \$75,000. So it adds up to a lot of money."

Sal Mastropolo: "As long as it's from the purchaser."

Councilman Cardinale: "Yes."

Councilman Kent: "From the purchaser."

Sal Mastropolo: "From the seller-- taking out of one pocket and putting-- "

Councilman Kent: "No, Sal. It's from the purchaser so let's not even go into that."

Councilman Cardinale: "Correct."

Supervisor Villella: "It's from outside concerns mostly."

Councilman Cardinale: "They were smart enough not to do what Nassau County did."

Councilman Kent: "Well, the reason behind it is that you're buying-- we've been preserving property on the east end since 1976 I think we've been buying development rights."

Supervisor Villella: "Not the town, the county."

Councilman Kent: "So the people who are coming into the east end are buying into the preservation effort. Because they're going to be enjoying that which we've already spent from our own tax dollars to preserve property. So that's the concept."

Councilman Cardinale: "George still doesn't like it. All right. What are we on-- 1202? Can I please vote on it."

Councilman Kent: "Well, no, we've got 1201."

Councilman Cardinale: "Yeah, right, yes."

Barbara Grattan: "Kwasna and Cardinale, okay."

The Vote (Cont'd.): "Cardinale."

Councilman Cardinale: "1202?"

Councilman Kent: "1201."

Councilman Cardinale: "We're still voting."

Supervisor Villella: "Take it easy."

Councilman Cardinale: "I thought I voted yes. Yes."

The Vote (Cont'd): "Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1202

Barbara Grattan: "1202-- Cardinale and Kwasna."

Councilman Cardinale: "Okay, this-- I'm offering this 1202 which is Edwards and Riley Avenue drainage improvement capital project budget adoption in the amount of \$7,200. So moved."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1203

Councilman Lull: "1203, 1204, and 1205 budget adjustments again. I'll move all three."

Councilman Kwasna: "I'll second them."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, abstain."

Councilman Kent: "This is 1205-- is the one I'm dissatisfied with. So I'm going to abstain on it."

The Vote (Cont'd.): "Kwasna, yes; Lull, yes; Villella, yes.
The resolutions are adopted."

Barbara Grattan: "You have 1205, 1203, are you going to abstain on all of them?"

Councilman Kent: "Yes, on all of them."

Resolution #1206

Councilman Cardinale: "I'm going to move this."

Supervisor Villella: "Don't move it too much."

Councilman Cardinale: "Authorizes the Supervisor to execute agreement for the attached contracts for Joseph Grattan, Police Chief, Gary Pendzick, Water Department Head, Mark Conklin, big honcho in the Water Department, and Andrea Lohneiss, CDA Director and Girl Friday. So moved."

Councilman Kwasna: "Seconded."

Supervisor Villella: "Moved and seconded. Any discussion?"

Councilman Cardinale: "Well, there was a question out there but I'd like a little discussion. There are four contracts attached and I assume when we vote these contracts will become part of the public record?"

Supervisor Villella: "Absolutely. It will be in the Town Clerk's Office right after this."

Councilman Cardinale: "That's fine. Then I will make no other comment other than my comment when I vote."

Barbara Grattan: "Okay, are we ready to vote? I think we are."

Supervisor Villella: "Yes. Comment time."

The Vote: "Cardinale."

Councilman Cardinale: "Okay."

Supervisor Villella: "Wait a minute. Let me see if it's on. It's on."

Councilman Cardinale: "Thank you."

Barbara Grattan: "We have no tape on there but that's okay."

Councilman Cardinale: "These are-- this is an easy vote. For two years I've been able to avoid voting on any contract for management personnel because I do not believe that the contract is the appropriate form with which to establish the working conditions for the personnel or head of department decisions.

The premise of having these contracts is, I think, faulty and I don't want to explain it at great length because it's not that-- it's relatively confusing because I've had it explained several times-- numerous times by Jack to me, it took about the 10th time. The idea is that these individuals, four of which we have in front of us, are managers and since they are managers they cannot be represented by the CSEA. However, they each have underlying civil service titles and job descriptions so that by giving them contracts with a term of years in addition to other terms of employment, we're differentiating them from every other employee in the town who works pursuant to a standard CSEA contract which is negotiated.

I think the better way to resolve this issue is to simply pass resolutions in which we indicate for the people that are department heads that these are the terms of employment including salary, that the terms of employment are like every other employee in the town at will, there's no fixed term, and that there will be an incentive payment-- yeah, every other employee in this town works on a CSEA contract and does not have a specified term of employment-- two years-- "

Councilman Kent: "But they're not at will. They're protected by civil service."

Councilman Cardinale: "And so are these employees. So to differentiate these employees from the CSEA-- civil service protected employees seems to me to be inappropriate. What's really happened is if you look at these contracts what started as a simple idea to put on paper the terms and conditions of employment has developed into contracts that are different for every single employee, that are inconsistent, that favor certain over others for no apparent reason,

and I think that, although I understand why the idea came to fruition, I think the purpose may have been good but the execution is really faulty.

For that reason, I don't want to break my record of never having voted for one. I also do not want to suggest that I believe that any or all of these people are not worthy employees. I just don't feel that this is the way to state their terms of employment.

On the other hand, that's my procedural problem. Substantively I would ask that once they're made public, that these be read by the press because some of them I have some substantive problems with but I'm confident that if they're publicized that those problems will be made apparent to the public and I'll leave it at that. So procedurally I have those problems; substantively I have other problems on certain of these contracts and for that reason I abstain from voting."

The Vote (Cont'd.): "Kent."

Councilman Kent: "Well, to just try to clarify some of the issues raised by Councilman Cardinale, other employees in the town collectively bargain for certain rights and they have a collective bargaining agreement. The management employees and department heads within the town do not have that right to collectively bargain. They are-- they bargain for their rights individually and what these contracts provide are health benefits and other entitlements of their employment, just like every other civil service employee who has those entitlements pursuant to his CSEA contract.

So, it is a requirement that we either allow them, the management of our town, to collectively bargain as a unit or to continue to bargain individually with each department head and enter into contracts with them individually. So I think it's important that employees of the town know what entitlements they have as part of their employment with the town. However we do it, I think these contracts only elicit those things that they're entitled to as part of their employment. It does not preserve their jobs. We can terminate them just like we can terminate a civil service employee pursuant to Civil Service Law. And that's one of the provisions of the contract.

Also we could abolish their positions like we have done in the past. Someone that has a contract with the town-- position could still be abolished."

Councilman Cardinale: "With notable success."

Councilman Kent: "As long as we don't-- as long as the town does not fill the position with another person who is serving the same duties under a different title or maybe the same title, that person whose position was abolished could be terminated."

So I think for the purposes of explaining their benefit packages, I think it's important that we do put them into a contract so that they know that to which they are entitled and it's very similar to collective bargaining agreements entered into by all the employees of the town.

So I will vote yes on these. There are some substantive things that aren't completely to my liking but they were negotiated and I think on a whole that we should vote in favor of these because these are four valuable employees for the town of Riverhead and I would hate to see them leave the town's employ. So for that purpose, I'll vote yes."

The Vote (Cont'd.): "Kwasna."

Councilman Kwasna: "The only thing I don't particularly like about the resolution is that it has four contracts attached to one resolution where I think we should have had four separate resolutions on this but it has been past practice to do it this way so I'll vote yes."

The Vote (Cont'd.): "Lull."

Councilman Lull: "One of the answers to what Chris is saying and it probably should be something we should attempt to do. I've been talking about it for two years now. I believe that the contracts that are negotiated between department heads, management contracts that are negotiated, if we continue along those lines, that those contracts should be essentially boiler plate contracts. There should be-- those parts of the contract that do, in fact, mirror the negotiated contract with the CSEA or with the PBA or with the SOA, whoever may be the appropriate body, they should be very clear and the same in each contract. However, each contract is also with an individual management employee who is doing an individual job. Those particular-- that part of each contract should be negotiated separately so that it really should be very clear in the contract that this is the department head's contract or the management contract and

it's a management contract for everybody. That's-- this part of the contract-- this part of the contract is that which is appropriate to that particular department head or that particular management employee. And I believe that that really should be differentiated that way and made very clear. That would make it a lot easier for dealing with four with one resolution which I'm not particularly happy about either.

But I will vote in favor."

Supervisor Villella: "I just want to clarify the four individuals. Chief Grattan, Gary Pendzick, Mark Conklin and Andrea. I could vouch for them because I've been here working 60, 70 hours a week myself and I know these people do the same thing. And I think they should be rewarded and I vote yes for this because of the great job that they do for the town of Riverhead."

Barbara Grattan: "The resolution is adopted."

Resolution #1207

Councilman Kent: "Which one is 1207?"

Barbara Grattan: "Ratifies and approves stipulation of agreement."

Councilman Kwasna: "SOA. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Okay, moved and seconded."

The Vote: "Cardinale."

Councilman Cardinale: "Wait a minute, I didn't vote yet. I said yes, I'm about to vote. As a matter of fact, I'm going to vote yes on this. This simply permits union members to utilize a payroll deduction for purposes of a college savings program. So I vote yes on this one."

The Vote (Cont'd.): "Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1208

Barbara Grattan: "Resolution 1208 is to pay bills."

Councilman Kent: "So moved."

Councilman Lull: "I'll move it."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded to pay bills."

The Vote: "Cardinale."

Councilman Cardinale: "In regard to payment of bills, yeah, that's fine."

The Vote (Cont'd.): "Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution to pay bills is adopted."

Resolution #1209

Barbara Grattan: "Resolution #1209 is going to be reappointing members to the Architectural Review Board."

Councilman Kent: "So moved."

Councilman Cardinale: "Which one are we doing, 1209?"

Councilman Kent: "1209 is Architectural Review Board."

Councilman Cardinale: "Who are we appointing?"

Councilman Kent: "Cheryl Heather."

Councilman Cardinale: "Is she on it already? Is she doing a good job?"

Barbara Grattan: "She expired-- "

Councilman Cardinale: "Oh, you mean her appointment expired?"

Supervisor Villella: "That's not Cheryl, it's Roy."

Barbara Grattan: "Roy Sokoloski."

Supervisor Villella: "Roy."

Councilman Kent: "Well, what's this one? I've got Cheryl Heather."

Barbara Grattan: "I thought it was Cheryl Heather, too."

Councilman Kent: "Do we have more than one of these?"

Supervisor Villella: "I've got Roy."

Barbara Grattan: "We probably-- I know it's Cheryl Heather."

Councilman Cardinale: "All right, let's do 1209 and then I want to go back to 1207 because that's a similar situation. We have two stipulations of agreement attached to this and it's getting confusing."

Councilman Kent: "Why don't we do 1209-- why don't we do Cheryl Heather and Roy Sokoloski in one resolution?"

Councilman Cardinale: "Fine."

Councilman Kent: "Because it's-- "

Supervisor Villella: "So amend it that way."

Barbara Grattan: "I know Cheryl; Roy, I don't know. Cheryl Heather and Roy-- "

Supervisor Villella: "There's only one."

Barbara Grattan: "What do you mean?"

Supervisor Villella: "There's going to one-- there's different terms."

Councilman Kent: "Oh, so-- "

Councilman Cardinale: "Who is it that is-- "

Supervisor Villella: "They stagger it so there's one person each year."

Councilman Cardinale: "And 1209 reads as presently-- to reappoint Cheryl Heather as a member of the Architectural Review Board effective December 21. So it's been moved. Somebody seconded it?"

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

Barbara Grattan: "What are we doing? Roy?"

Supervisor Villella: "No, Cheryl."

Barbara Grattan: "We're going to do Cheryl and not Roy. We're going to change the name to Roy-- I mean Cheryl."

Councilman Cardinale: "Mine says Cheryl."

Supervisor Villella: "His says Cheryl. Mine says Roy."

Councilman Lull: "Mine says Roy Solokoski."

Supervisor Villella: "Do both then. Amend the resolution. Have both names on it, please. This way we'll make sure-- "

Barbara Grattan: "We'll do one resolution for both."

Supervisor Villella: "Corrrect."

Barbara Grattan: "1209 is going to be Roy Sokoloski and Cheryl Heather."

Supervisor Villella: "Should we call up John Heather and see if he wants his wife on it again?"

Barbara Grattan: "Of course she does."

Supervisor Villella: "I'm only kidding."

Barbara Grattan: "All right. It was moved and seconded. Cardinale and Kent was it?"

The Vote: "Cardinale, yes; Kent, yes; Kwasna."

Councilman Kwasna: "This is my last meeting here tonight with

the Town Board and I just want to set an example for the new Board coming in so for that reason tonight I'm not going to vote on any resolutions that are coming off the floor and I hope coming the new year this Board won't either. So I abstain."

Councilman Cardinale: "Who brought this off the floor incidentally?"

Councilman Kwasna: "Nobody yet."

Councilman Kent: "None of us."

Barbara Grattan: "Cardinale and Kent brought it off the floor."

Councilman Cardinale: "Yeah, but who wants to-- why do they have to be appointed?"

Supervisor Villella: "The term ends."

Councilman Kent: "Their terms expired in November."

Barbara Grattan: "November 19th. When you make a decision on something in November-- December you may throw it out because these two are not members-- "

Councilman Cardinale: "Okay, so you have to because they're meeting in December and they haven't been reappointed? Okay. Fine."

Councilman Kent: "I think there's some sense of urgency-- some necessity."

The Vote Cont'd.:) "The resolution is adopted."

Resolution #1210

Councilman Kent: "Can we go back to 1207. I understood the stipulation we were agreeing was the New York State College Savings Program."

Councilman Cardinale: "As did I."

Councilman Kwasna: "There's two of them."

Councilman Cardinale: "Could somebody explain to me the second

stipulation?"

Councilman Kent: "The second one is a-- is a buy back."

Councilman Cardinale: "The stipulation reads as follows-- for the public. Whereas prior to September 1 unit member so and so requests permission to buy back 56 days; whereas subsequent to September 1 he requested to buy back 75; whereas the contract requires the request for buy backs be filed prior to September 1; whereas due to unique circumstances unstated the parties wish to resolve this matter in an amicable manner. Now, therefore, notwithstanding the provision of the contract the town shall permit him to buy back 75. Could you explain why we're doing that? Why you're asking us to do that?"

Jack Hansen: "One particular sergeant had submitted for 50 days as you see prior to September 1."

Councilman Cardinale: "Right."

Jack Hansen: "The SOA contract-- PBA contract say by September 1 you have to submit that time. That's the reason for it. This particular sergeant has a unique circumstance that I'd rather not speak on camera and has asked for an additional 25 days."

Councilman Cardinale: "Would you whisper it in my ear please so I could vote one way or another on this? How am I supposed to know what I'm voting on?"

Jack Hansen: (Inaudible)

Councilman Kent: "Already voted on that."

Jack Hansen: "What I said was-- to him-- I cannot do that because the contract is such and the only to do that is to enter into a stip that says this is not a precedent setting matter."

Councilman Cardinale: "I understand that but I don't understand what the unique circumstances are because I don't recall this being discussed yesterday at the work session."

Councilman Kwasna: "Discussed last week-- "

Supervisor Villella: "There was a little discussion-- "

Councilman Cardinale: "Would somebody tell me what this is about so I know what-- "

Councilman Kent: "I don't know."

Councilman Cardinale: "He doesn't know and I don't know. And we-- and it's attached with two resolutions-- two stips-- "

Councilman Kent: "I thought we were only agreeing to-- "

Jack Hansen: (Inaudible)

Councilman Cardinale: "All right. The point is Chris and I in order to what's the word-- "

Councilman Kent: "We're going to actually move to reconsider since we voted in the majority on this. So we move to reconsider resolution 1207."

Jack Hansen: "You would (inaudible)?"

Councilman Cardinale: "Sure."

Jack Hansen: "I just don't want to put down-- "

Councilman Kent: "It definitely is."

Jack Hansen: "Okay."

Councilman Cardinale: "Come up here."

Councilman Kent: "Take a side bar."

Councilman Kwasna: "Turn off the microphones."

Supervisor Villella: "-- voted on it."

Councilman Cardinale: "As Jack's explanations go, that wasn't too bad so-- "

Councilman Kent: "It made sense."

Councilman Cardinale: "I have no further concern."

Supervisor Villella: "Yeah, you're one for two tonight. Don't worry about it."

Councilman Cardinale: "Okay."

Barbara Grattan: "Okay. Now resolution #1210 which is the mini van."

Councilman Kent: "Yeah, so moved."

Councilman Cardinale: "What are we doing with the mini van?"

Councilman Kent: "We're rejecting and rebidding."

Councilman Cardinale: "All right."

Barbara Grattan: "Kwasna, the mini van-- you second."

Councilman Kwasna: "Oh, you want me to second it?"

Barbara Grattan: "Yes."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, abstain; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1211

Barbara Grattan: "Now 1211 is the transfer of an account clerk typist."

Councilman Cardinale: "Oh, yeah, here it is. Okay. This is on 1211. This is the much discussed transfer of account clerk typist, Kimberly Lucas. Anybody have a motion?"

Councilman Kent: "I thought you were going to move to-- "

Councilman Cardinale: "Yeah, thanks very much. Thanks a lot."

Councilman Kent: "No, I thought you were going to move to-- "

Councilman Cardinale: "-- to the left of Vinny here. Nobody has a motion? This is my good friend, Kim. I'm just about to bring

her down to Step 5. I'd like to avoid it. I might vote for it but I don't want to have to tell her that I moved the damn thing. All right. Thank you."

Barbara Grattan: "Kwasna is moving it?"

Councilman Kwasna: "No, discussion."

Barbara Grattan: "Okay, nobody moved it."

Councilman Kent: "We need a move and a second before we can have a discussion."

Supervisor Villella: "We need a second."

Councilman Cardinale: "Do you want to second it?"

Supervisor Villella: "Then you can have a discussion."

Councilman Cardinale: "All right, I'll second it. Okay so now we have moved and seconded. You want to discuss it, go ahead."

Councilman Kwasna: "Well, I just want to say something about-- I feel as highway superintendent and even over in the courts, that we as the employees should be able to interview people that are working for us and choose which employees we want working for us not just pass a resolution to stick some people in just because you feel that it's in the budget for a part time person. And that's just my feeling and that's why I don't want to move it and I'm going to abstain."

Councilman Cardinale: "Okay, I have a-- "

Councilman Kwasna: "Because other people have applied for the job already-- "

Councilman Cardinale: "But she's in the job. She has account clerk-- I know because we went through that item ad infinitum during the election. The way she got the job was not according to Hoyle but had also been previously performed by the maestro over here for previous administrations. But how she got in the job is suspect but she's in the job. Then again how certain other individuals prior to our term here got in their job were similarly suspect. But she's there already. I was talking to the issue of what salary level she should be put on and does anyone have a motion on that or do you want

me to make the motion? I'm-- for lack of a better-- because it's 20 of seven I've got to eat dinner, I will move that we pass this as-- but to amend to Group 9 Step 5 because-- what's her name out there-- because Marie was eloquent and convincing to me that it would be appropriate to place this person on Step 5, that she started the same time as Marie and she shouldn't make any more than the person who started at the same time. She is presently making 35 so apparently she's taking a hit of about 6,000. So with that, I would move that Group 9, Step 5 be replaced for Group 9, Step 6 and with it salary reduction as as amended I would move it, but I don't want this to be considered an endorsement in the manner in which she received civil service protection, which I had nothing to do with. But, Jack, you're a smart guy. So moved."

Supervisor Villella: "Is there a second?"

Barbara Grattan: "No, but he amended it, Phil amended it, that's why."

Supervisor Villella: "Is there a second?"

Barbara Grattan: "Oh, you're going to second it? Okay."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale."

Councilman Cardinale: "I vote yes to-- as amended to retain the services of an employee who I also believe is a very good employee and very intelligent."

The Vote (Cont'd.): "Kent, yes; Kwasna, abstain; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1102

Barbara Grattan: "Now we have a tabled resolution 1102."

Councilman Lull: "I'll move that. 1102 declares lead agency and determines significance of special permit site plan-- "

Barbara Grattan: "Taking it off the table, right, Jim?"

Councilman Lull: "Yes. Meyer Development LLC refers petition

to the Planning Board. It was tabled on December 7. I now bring it off the table for our consideration."

Councilman Kent: "This resolution was supposed to be withdrawn. No, I think we decided-- we said we were going to withdraw this resolution and he was going to prepare a new resolution because this resolution is not worded appropriately. So I'm going to move to withdraw the resolution. I think that would-- "

Councilman Lull: "I had assumed this one was-- "

Councilman Kent: "No, it's not."

Councilman Lull: "Okay."

Councilman Kent: "So I move to withdraw."

Councilman Cardinale: "Do you mean to tell me that Rick Hanley who is not present here-- "

Supervisor Villella: "No, no, his mother is having an operation."

Councilman Cardinale: "You mean to tell me he forgot to do something?"

Supervisor Villella: "He wasn't here, he has problems."

Councilman Cardinale: "So he has a good excuse."

Barbara Grattan: "All right. So we're withdrawing 1102. Kent, is there a second to that withdrawing?"

Councilman Cardinale: "Second."

Supervisor Villella: "I'd like to see this get going because it's a great thing for the Town of Riverhead, but we've got to do it the right way."

Councilman Cardinale: "Well, I could amend it right now if you want me to."

Supervisor Villella: "You guys go along with that?"

Councilman Kent: "Okay, actually, why don't we move to-- I'll make a motion to-- I'll withdraw my motion to withdraw and I'll move to amend it by deleting the second resolve clause so it only-- "

Supervisor Villella: "Yes, that makes sense now. Is that okay, guys?"

Councilman Cardinale: "As amended, I second it."

Councilman Lull: "I didn't even look at it."

Councilman Cardinale: "Here you go. The second resolve-- "

Councilman Lull: "Yeah, I know what we were going to do. Yes."

Supervisor Villella: "Okay, as amended. Are you going to move it? You moved it?"

Councilman Kent: "I'll move it as amended."

Supervisor Villella: "Is there a second?"

Councilman Cardinale: "Remove the entire second resolve clause. That's the amendment."

Barbara Grattan: "Okay, good."

The Vote: "Cardinale, yes, as amended; Kent, yes; Kwasna, abstain; Lull, yes; Villella, yes. The resolution is adopted."

Councilman Cardinale: "I have one other question. Is that the end? Okay. Would somebody please get Mark now that he's left, a seal or something, because he's been a Councilman for four years. I thought he was going to get a seal."

Councilman Kent: "We're going to have another Town Board meeting."

Councilman Cardinale: "When?"

Councilman Kent: "On the 29th of December, I believe it is."

Supervisor Villella: "A Special Board meeting."

Councilman Kent: "The 30th."

Councilman Cardinale: "Yeah, but nobody is going to be there, are they? We should give him a seal why there's some people."

Supervisor Villella: "Then do it on the 4th. Is that the next Town Board meeting?"

Councilman Cardinale: "On the Organizational Meeting would somebody get Mark Kwasna a seal? Thank you."

Supervisor Villella: "Definitely needed. You did a great job."

Councilman Cardinale: "Yeah, if you're here-- maybe I should not give you that-- "

Supervisor Villella: "Okay, coach. Put your coach's hat on. Okay, comments. Zabby, you wanted to speak? We've got to get this going."

Zabby Chamberlain: "Moving right along I just wanted to comment on-- well, I wanted to ask Phil if he could make some clarifications on his comment about the (inaudible) that was offered yesterday by Cablevision-- come up with a statement that (inaudible)."

Councilman Cardinale: "No. Actually, two things. One is we definitely won't be signing anything in January but I was-- my initial comments were directed toward my elation that having spent a good deal of time creating a contract of some 50 pages, nine of which were written by Lou Turner of your group on public access, I delivered it to-- with great pleasure to Cablevision and heard nothing for nearly three months. We finally were able to get a meeting with two of the vice-presidents in my office on Monday and we believe that we're far apart on certain issues but close enough to define the differences and we're going to continue to negotiate. Obviously the new administration will like to know what I am doing and I told them I was confident I would keep this task of negotiating the Cablevision franchise because it's really boring and unattractive for anybody else to pick up. So I'm comfortable that that's going to happen. But it won't be happening in a month. What I'm happy to report is that there will be a second meeting on January-- in the middle of January between myself and those two vice-presidents and we will then go through the eight or ten issues that we have. So nothing is going to happen unless you know about it, Zabby. Don't worry."

Zabby Chamberlain: "Okay. Is it possible for me to get a copy of the franchise agreement?"

Councilman Cardinale: "Yeah, I gave it to Charles over there who's doing the video for this evening's performance and I would gladly give you another copy, too. He's got it and you can get it from him, you can get it from me, as you prefer."

Zabby Chamberlain: "I'd like to get it from you.. Would I be able to get that tonight?"

Councilman Cardinale: "Only if you know how to run a copy machine."

Zabby Chamberlain: "And how long will that franchise-- "

Councilman Cardinale: "In fact it's right here. You can go find a copy machine and you can-- this is the proposed agreement. They say that you can't do it here without a code and they're not giving you the code. Well, I'll make the copy and give it to you, yes."

Zabby Chamberlain: "Pick it up tomorrow?"

Councilman Cardinale: "Yeah, yeah, right."

Zabby Chamberlain: "And what I would like to assure though is that we get to participate in that meeting on January-- some of us would be able to be there-- "

Councilman Cardinale: "Well, you know, I once dealt with a committee that I had to negotiate with and it didn't work out too well because I had like six people in the room and none of them were thinking the same thing. So I'm not sure that I need a negotiating committee but I will say that because in this contract there's only like one section of the 34 sections has to do with public access. I would like input from your group as to that-- and I would take any written comment. But it might get unwieldy to have your whole committee at this negotiating, particularly since my room is about the size of a closet."

Zabby Chamberlain: "Okay."

Councilman Cardinale: "But I'd be glad to meet with you and,

you know, you can give me the benefit of your thought and wisdom on the subject."

Supervisor Villella: "I don't know if now if the time to-- I think you should set up a meeting and-- "

Zabby Chamberlain: "Right, as long as-- "

Councilman Cardinale: "He's hungry, that's what-- "

Zabby Chamberlain: "Right."

Supervisor Villella: "I've got to go out singing."

Zabby Chamberlain: "I still would like to just ask if while you're making this-- while we're negotiating this, if it would be possible for you to intercede on some of the-- on our behalf for some of our many concerns at the studio."

Councilman Cardinale: "Yeah, I talked with them about that on Monday and-- about the studio concerns. I'm aware of that because as you know I film a show twice a month. Yeah, I'm aware of them and I have spoken with them. They assure me they're not trying to discourage public access. They're merely trying to set up procedures whereby people will be taught the proper way to shoot the shows at the studio so that they can do it themselves and not need the assistance of Cablevision personnel. I'm not entirely sure I believe that but they made a case for that."

Zabby Chamberlain: "Right. Some of those (inaudible) and a lot of people aren't even aware of the training sessions that are being offered this week."

Councilman Cardinale: "Right. And then the training session required you to bring eight people with you in the middle of the day. I thought that was kind of funny that if you want to be trained to use the Cablevision studio, you have to bring eight people in the middle of a weekday with you."

Zabby Chamberlain: "During Christmas week."

Councilman Cardinale: "During Christmas week, yeah."

Zabby Chamberlain: "So some of-- okay, thank you."

Councilman Cardinale: "Can't take it either."

Supervisor Villella: "No, can't."

Zabby Chamberlain: "So these procedures though, we would like them written down so that we could be assured that they're open and above-board (inaudible)."

Councilman Cardinale: "Okay, I understand and we would expect them be part of the contract."

Zabby Chamberlain: "And one other thing I wanted-- I did attend the Public Service Commission and they did say that the best thing there was that-- "

Councilman Cardinale: "You know, I've got two empty seats up here. We've got Bob and Ed. Maybe we could do an early change. No? Our incoming members are here."

Supervisor Villella: "Well, that's something-- Zabby you could bring that up-- "

Zabby Chamberlain: "Well, just one thing, as far as the negotiating for the 5% of what you're speaking of, they did say that in the franchise agreement if you look you'll see that they have it limited for the amount of percent that you can take a percentage of is limited to video program and service."

Councilman Cardinale: "Right. That's a very big issue, I'm aware of it."

Zabby Chamberlain: "But it should include-- and that's only one component of cable service because you have the cable modum service you can get and it should say cable service, period. That's what you should have."

Councilman Cardinale: "Yeah, and that's what our agreement does say. That's a very big issue."

Zabby Chamberlain: "Because that will, of course, mean millions of dollars of revenue for Riverhead."

Councilman Cardinale: "I hope it means millions, but at least thousands. But what Gabby's alluding to is that-- "

Zabby Chamberlain: "Zabby."

Councilman Cardinale: "-- if you charge a franchise fee you get 5% of something and how that something is defined is unclear in law and the broader the better from the perspective of the town. I'm aware of that. But I'm looking forward to working with you and also eating dinner. So, thank you."

Zabby Chamberlain: "Okay, thank you."

Supervisor Villella: "You've got your wife back there."

Councilman Cardinale: "I know. She wants food. She's here for dinner."

Supervisor Villella: "You want the three of you to come up together or individual? Okay."

Rick Schussler: "Good evening. I'm Rick Schussler of Baiting Hollow. I submitted a letter early today-- "

Supervisor Villella: "Right."

Rick Schussler: "-- as part of the record now for the issue of the Boy Scout camp and the cell tower. I wanted to point out a couple of things in that letter also because we have incoming Board members and also because there's at least one typo in my letter I found which (inaudible). This is all about the lease between the Boy Scouts and the-- and Bell Atlantic, which they've already signed but which doesn't take effect unless you gentlemen approve the petition to build the tower.

And there are several things within this lease that are-- make us as residents quite angry because they contradict a lot of what we've heard at these meetings so far."

Adam Grossman: "Before you continue, I just want to make sure for the record of this Board meeting, that these comments are comments at the Board meeting because we generally allow people to comment on any subject at the Town Board meeting and this is not part of the public hearing record."

Supervisor Villella: "Right, they know that."

Adam Grossman: "I just wanted to make that clear."

Supervisor Villella: "That's why they stayed the whole meeting."

Adam Grossman: "The written record was, right."

Rick Schussler: "I just want-- "

Supervisor Villella: "No, no. Because I'm against it, too. So, you know that."

Rick Schussler: "Yeah, I know that. Anyway several things really make us worry. One of them is about the right of first refusal which may impact your ability to negotiate development rights for this property."

Supervisor Villella: "That's what he said that night at the public hearing, which I got a little ticked off about."

Rick Schussler: "Yeah, we've heard a lot of (inaudible) stuff saying that, you're being assured that they don't have right of first refusal but the lease itself is extremely clear. There's paragraph 20-- written up in here-- if the leasor during the lease term elects to sell any-- all or any portion of the property whether separately or as part of the larger parcel (inaudible), the leasee shall have the right of first refusal. It's not just on the 1,200 square feet. If the Boy Scouts want to sell any portion of that property that includes the 1,200 square feet, Bell has the right of first refusal. As a non-lawyer, I have no idea of the impact on selling development rights. You might have to go to court to find out and that's what I'm afraid of that ultimately Riverhead will be prohibited from doing what they really want to do which is to protect that property."

Supervisor Villella: "Right."

Rick Schussler: "And by the way, it's a little worse than 1,200 square feet because the property, in capitals, is defined to include the right of way to it. So even if the Boy Scouts wanted to sell off say the strip along Sound Avenue for historical preservation, they can't do it without evoking this right of first refusal because that would trample the right of way Bell Atlantic has. So that's part of this right of first refusal issue. Okay."

Another thing is with we've (inaudible) and talked about various rationales that the court upheld as reasons to deny a tower application. And one of them was cumulative impact and there's a lot of cumulative impact things in this lease. First of all, paragraph one says one right of way may not do it and the Boy Scouts have to grant additional right of ways as any utility or whoever might need. I think much more seriously, they've already said they would expect to lease based on that tower to other carriers. What's in the lease is that they also-- the Boy Scouts have to lease other land to these other carriers in order for that to be possible. So this one 1,200 square foot parcel becomes an unlimited number of parcels. There's no limit in that lease on how many carriers can walk up and get space on that tower and for each one of those Bell has to-- the Boy Scouts have to give them room to put another shed and another generator. And that's very clear in the lease. That's paragraph 12. Okay. So that is a cumulative impact plain and simple and it's just going to get worse and worse. It's going to be a trailer park full of equipment sheds and generators. And there's no limitation on that.

The third thing is the visual pollution. The 60 foot limit is not a limit at all. In paragraph 10 of the lease agreement, the only promise is that the initial construction will be a 60 foot tower. Then after that it's extremely clear that the sentence in the lease says the leasee shall initially construct a tower not to exceed 60 feet. The leasee shall have the right at any time to increase the height of the tower provided the leasee obtains government approvals. It shocks me that the Boy Scouts would accept this where they have no right to say no, 60 feet was okay, 150 feet you can see that from every place in the town. It ruins the atmosphere. The Boy Scouts have no right to turn that down. They have no right to review it. They have no right to put a stop to it. Frankly, that's one of the things that makes us most mad is that we've been told over and over again that the Boy Scouts wish to preserve that property. I don't see how they could have signed this lease with that clause in it if they really intend to preserve the property.

You know, put yourself in-- "

Supervisor Villella: "Who did sign that lease for the Boy Scouts? The guy that they made the deal with or was it the General Council or-- "

Rick Schussler: "Let's see, that is Harry Picorny (phonetic), Secretary and Chief Executive Officer of the Suffolk County Council

Boy Scouts of America. So, you know, the only thing waiting for this agreement to take effect is your approval of the petition to build the tower. But, you know, think about it. If you have property and Bell Atlantic came to you and said you have an 80 foot tree there, I want to put a 60 foot tower behind it, you'll never see it, I'll pay you a lot of money. You'll probably say okay. Then they hand you the paper, it says and by the way, we can make that tower anything we want at any time, you would not sign that. You would say either change a few words and say you'll never have the right to make it bigger or change the words and say we'll have the right to approve such changes and we don't have to accept them. If it was your backyard and if they're leasing land in your backyard for a tower, you would not sign an agreement that says you can make that tower any height you want at any time. It just does not make sense and it's not consistent with the Boy Scouts trying to protect and preserve that property. And I'm afraid that job now falls to the Town Board-- the new Town Board to protect and preserve that property and the only way to do that since the lease is already signed is to deny Bell the right to build that tower."

Councilman Cardinale: "You may be pleased to know that this is one of the other areas that-- one other area in which we desire the invaluable input of the soon to be Board. So we do not intend to vote on this before the end of the year. So we'll see you in the new year. Come back on January 4th but I've got a lot of mail on this."

Rick Schussler: "And by the way Happy Holidays to you all and I congratulate you on your stamina."

Councilman Cardinale: "Thank you. Five hours and going. We hope going."

Supervisor Villella: "Thank you. Dan, how are you doing?"

Dan Gianfalla: "Good evening, I'll be very brief. My name is Dan Gianfalla and I have been a Baiting Hollow resident for the last 15 years with my family and we're currently raising our children adjacent to the Boy Scout camp.

I have had the unique experience to not only live adjacent to the camp but in the camp for a number of summers many, many years ago as a Boy Scout and as a merit badge counselor. You received my correspondence this week so you can see how very upset I am that the Boy Scouts would even consider something like this. I think they

should be ashamed of themselves to even consider even putting this up next to their Scouts.

Having said that, I, therefore, do believe that they're going to go on and will be developing this later on. So you have to watch that. And our other neighbors as you have seen over the last few months, have done a wonderful job addressing the legal ramifications and Rich has done a wonderful job explaining the lease ramifications this evening. I'd just like to (inaudible).

I'd like to address our Supervisor-elect and Councilman-elect also if I may, because as you said, Phil, this is going to be looked at next year. Many, many of your constituents are very upset about this in the Baiting Hollow/Calverton area. We have a number of residential communities surrounding this camp. Oak Hills as you know, Silver Beach Estates, Fresh Pond Landing, Village Green, many, many homes and many people that we have contacted. My voice is hoarse today, excuse me. I've made a lot of phone calls.

A lot of people are upset about this. Many people cannot spend an afternoon to come to the Town Board meetings and have the time to write letters, but believe me, they are upset. And they want to know that you are going to vote in our favor, that they would hope that you're not going to be associated with creating some new Baiting Hollow landmark, a cellular tower, a half a mile away from the Baiting Hollow Congregational Church or Baiting Hollow Free Library. Or ruining the Baiting Hollow-- the hollow itself. Bell Atlantic might call it a valley, but as you know it's the hollow in Baiting Hollow where once the one-room schoolhouse that we all go to see on Main Street-- once stood. It's a historic corridor gentlemen and we cannot ruin this by putting up-- allowing them to put up a cell tower at this location.

It's ludicrous to do this above young Scouts and adjacent to your constituents and their families and their children. I'm sure there's a out for you to take as Rich has mentioned regarding aesthetics. An environmental impact statement and studies and we would hope that you would-- we would hope that if you are unable to vote against this due to possible ill health effects. There have been talks back and forth. We would hope that you can vote against this in order to preserve an area that has always been synonomous with what makes Riverhead great and that's its beauty. And I thank you very much."

Councilman Cardinale: "Thank you."

Supervisor Villella: "Thanks, Dan."

Dan Gianfalla: "Good luck to Vinny and gentlemen and the new Town Board coming in. I wish you the best."

Councilman Cardinale: "I have a question for Adam on this. Adam, I believe that the public hearing on this ended at 4:30 in theory."

Supervisor Villella: "Right."

Adam Grossman: "Yes, it did."

Councilman Cardinale: "We also have to make a decision in regard to draft environmental impact statement requirement or not and we have to make a decision on the application. In order to get additional data into the record, would it make sense to keep the hearing open?"

Supervisor Villella: "They said they already gave all their-- "

Councilman Cardinale: "No, I know they did. I'm talking about as we discussed this issue briefly."

Supervisor Villella: "You've got enough information (inaudible)."

Councilman Cardinale: "All right-- that's what I'm asking."

Adam Grossman: "If the Board would like to gather more information and have more input, they should reopen-- the Board should reopen the public hearing. Okay."

Councilman Cardinale: "That's what I'm getting at. That's what I thought."

Adam Grossman: "At another time in January."

Councilman Cardinale: "Yeah, and I wanted to get that since Bob is here."

Adam Grossman: "If the Board decides that they need further information before making a decision, that would be the proper way to go-- "

Councilman Cardinale: "Because I believe you made it clear to the present Board that in order to act in regard to these things-- to reject in any way, you have to have a good solid record of information on the record. And I know that the applicant has completed their presentation but I think it may be necessary to reopen either this hearing or the draft-- or in regard to a draft environmental impact statement in order to get the necessary data on the record."

Adam Grossman: "Well, I would say if the Board-- first of all the Board has to make a SEQOR determination. We haven't decided whether to issue a pos dec or a neg dec."

Councilman Cardinale: "Right."

Adam Grossman: "That's one issue and that in and of itself if you decided a pos dec, it would require more public hearings. If you weren't going to make-- if you were going to neg dec and the Board wanted more information on the application itself, this public hearing would have to be reopened in January and you certainly could do that to have additional input perhaps in particular the testimony of experts on the issue of antennas."

Councilman Lull: "That could be the equivalent of a scoping hearing."

Adam Grossman: "Right. Well, in the context of SEQOR but outside the context of SEQOR-- "

Supervisor Villella: "You could do it as well."

Adam Grossman: "And I would suggest, in fact, if you wanted to get additional expert testimony, that it would be better to reopen the existing public hearing-- "

Councilman Cardinale: "Right, because-- "

Adam Grossman: "In addition to making a SEQOR determination."

Councilman Cardinale: "Because the point was made at the last meeting with the attorney for the applicant that any SEQOR hearing even with a positive dec would be relatively limited because of the scoping. So a lot of the information that you may want to get in might not be available then. So, I get what you're saying and I think so does Bob who is going to be here in a few weeks."

Adam Grossman: "Yes, and actually Bob and I did speak about this issue."

Supervisor Villella: "And you should-- do me a favor, thank Mary for the work she's done on this and everything."

Dan Gianfalla: "Absolutely, thank you."

Jim Garfield: "Okay, my name is Jim Garfield. I want to address something you were talking about. Are you going to require an environmental impact study on this?"

Supervisor Villella: "We were talking about doing the pos dec. Yes."

Jim Garfield: "Because just point out that with the Riverhead Center, there was no environmental impact study done and later on that came back to haunt everybody. Somebody came up with a lawyer that sued on that, now it's being dragged around again and costing the town more money. So certainly this is something that should be done before, not after."

Adam Grossman: "Okay. In-- just to expand on this topic of the pos dec or a neg dec, it's really for the new Board to make this determination so it's going to be-- that issue is going to have to be addressed in January with the new Board. So-- I know-- "

Jim Garfield: "This January meeting, is this an evening meeting or an afternoon meeting?"

Adam Grossman: "Okay. I don't believe that there's any action taken at the organizational meeting, the first meeting in January, January 4th, I believe. If there's any action taken, it would be at the-- at the earliest, it would be the second meeting in January which I believe is January 18th."

Jim Garfield: "And we would be allowed to make public comments then or not? We're not sure yet."

Adam Grossman: "I don't know what the Board is going to decide to do. But if there is going to be an action taken, it would be in resolution at that second Board meeting in January or thereafter. The best thing I could suggest to you is to stay in touch with the Supervisor's office and ask what the status is."

Councilman Cardinale: "And certainly in the open comment period that you have so laboriously and stayed so long to be a part of, you could make comment at the January 4th meeting as well because I'm sure that Supervisor Kozakiewicz will continue the openness of government with the ability to go on for five or six hours in open comment."

Jim Garfield: "Okay, thank you, gentlemen. I thank you for your time and have a great holiday."

Supervisor Villella: "Same to you. Thank you."

Lou Turner: "Lou Turner, Hamilton Avenue, Riverhead. I just wanted to show my support for (inaudible) it's Public Education Government Access and I hope you find a way to include in the franchise agreement a minimum of three channels, one for public, one for education and one for government. And, hopefully, possibly some of the money that will be generated through the Cablevision franchise agreement could go towards a studio or possibly the schools to provide educational programming for the educational channel and I do know from other franchise agreements like Great Neck and other places throughout the country, not just here on Long Island, that you as the town are empowered to create a committee that could supervise local access and ensure fair access so that there isn't ridiculous or impossible demands to meet to become local access producers such as extensive training that is not needed for most people who are producers."

So I hope you can negotiate something out of your franchise agreement and I support your every effort. Thank you."

Councilman Cardinale: "Thank you, Lou."

Supervisor Villella: "Thanks, Lou."

Councilman Cardinale: "As you predicted incidentally your (inaudible) is 22 to 33 which you were helpful in authoring on the proposed agreement. It went over real big with Cablevision, as you could imagine. But they did address a lot of the issues you just mentioned and I did speak with them. So I'll be talking with you about that."

Lou Turner: "Oh, yeah, just one more thing. I just want to let you know that Brookhaven Cablevision or TCI Cable which has been engulfed by Cablevision, because their franchise agreement did not include protection for their local studio, their studio has now been

disbanded and they've lost their studio and they're now coming out here to use this access."

Supervisor Villella: "Oh, that's where we're getting all these different shows and everything. Okay."

Councilman Cardinale: "If you could remain, I'm pretty sure that it's, well, I'm pretty sure that we're going to be out of here in a few minutes, even though George is making me nervous. He's making me nervous. But could you stick around for a second? I want to ask you a question after the meeting. Hi, George."

George Schmelzer: "Hello. You've got this environmental impact study, well, maybe you need a mental impact study sometimes."

Supervisor Villella: "Yeah, that's good."

Councilman Cardinale: "That's a good line; I've heard that before."

George Schmelzer: "And, how's this LIE extension committee working out?"

Councilman Cardinale: "The good news is we have-- we are in recess."

George Schmelzer: "Huh?"

Councilman Cardinale: "We are in recess. We have-- "

George Schmelzer: "You're in recess forever."

Councilman Cardinale: "That's what my hope is. My hope is that we may be in recess for a lengthy period. But we delivered our report to the present Town Board; it's on file with the Clerk of the Town; Mr. Kozakiewicz received one; Mr. Densieski received one; all the present sitting members received one and my request is that having given this kind of laudible service to the town on Route 58, that perhaps when they start a new Route 58 Committee, maybe they would name you as its chairman together with one of the new members of the Board. Because I really have given my offer on Route 58. It's all on paper. It's at the Clerk's Office and that's the extent of my good ideas on Route 58."

George Schmelzer: "Did you put hot water on it or ice?"

Councilman Cardinale: "Well, you don't-- remember you told me earlier that this report would probably recommend another report? That's our fundamental recommendation, that we ought to do another report because the data is not sufficient to make a decision."

Supervisor Villella: "Well, tell me the County's report is 197-- "

Councilman Cardinale: "19-- mid '80's."

Supervisor Villella: "Mid '80's."

Councilman Cardinale: "The last data we really have."

Supervisor Villella: "And that's not updated."

George Schmelzer: "How is the-- speaking of money-- the previous Board, this Board, I don't know about the next Board, about that \$5,000,000 a year the taxpayers in the school district within Riverhead Town are subsidizing the towns of Southampton and Brookhaven. Nobody seems to care."

Councilman Cardinale: "You care. You say it every meeting."

George Schmelzer: "I care. How come nobody else cares?"

Supervisor Villella: "That's the reason why-- "

George Schmelzer: "-- \$5,000,000 a year. Nothing. So I still don't get an answer, huh? Why?"

Councilman Cardinale: "I believe that's because the town government has about that much control over the school district. We really don't have much to say about what the school district does."

George Schmelzer: "I-- Mr. Lull here-- I was at a work session, I said (inaudible) the State Education Department do it with the three towns separately."

Supervisor Villella: "Have an equalization rate."

George Schmelzer: "Then the bulk of the whole district in

determining the aid by the taxable assessed valuation. Do each town separately within the district, maybe-- so then as an example, Brookhaven now (inaudible) at about 4.7% of the kids, they pay less than 2% of the taxes. If they did it separately, they'd have to furnish enough to pay the proportion."

Supervisor Villella: "That's worse than Southampton."

Councilman Cardinale: "But that would require state legislation, right?"

George Schmelzer: "Huh?"

Councilman Cardinale: "It would require State legislation."

George Schmelzer: "I don't know. But we should do something. Just don't throw it out."

Councilman Cardinale: "No. And I'm not-- as you know, I do not aspire to great political office but I know of no one who predicts that I will be a State representative, so, therefore, we can't help you here. You should talk to the-- your friend, Senator LaValle."

George Schmelzer: "My friend?"

Councilman Cardinale: "Yes, Senator LaValle can help you, so can Pat Acampora."

George Schmelzer: (Inaudible)."

Councilman Cardinale: "I'm not sure anybody can help you actually."

George Schmelzer: "I asked him one time, I buttonholed him outside, if he saw me coming, he'd probably go out this rear door. He says he doesn't know what to do."

Councilman Cardinale: "What is your special name for him?"

George Schmelzer: "Weasel."

Councilman Cardinale: "Oh, yes, I forgot that."

George Schmelzer: (Inaudible)

Supervisor Villella: "We are trying to get the Wild Scenic River Act taken away."

George Schmelzer: "He is or you are?"

Supervisor Villella: "No. Well-- "

George Schmelzer: "I never heard you've done. Have you done anything?"

Supervisor Villella: "Yeah, we've been talking to him so the new Board will have to continue that."

George Schmelzer: "I hope you do more than talk because you mentioned before this meeting now that revitalize the riverfront. That's a good chance to get rid of that."

Supervisor Villella: "We are."

George Schmelzer: "Even there was a doctor I heard of years ago north of the track on the westerly side of Roanoke Avenue wanted to put a ramp up for his patients. He couldn't do it because it's within the scenic river boundary. That's how crazy it is."

Supervisor Villella: "Okay, George."

George Schmelzer: "So-- "

Supervisor Villella: "We are cleaning up the river though. We've got some proposals. We-- the Weeping Willow Motel and a few of those other ones, we would like to buy it, knock it down and clean it up."

George Schmelzer: "So it would take care of itself if you got rid of the scenic river nonsense. Let them have the south side of the river, good enough. The talk is we want it beautiful so people can drive by and look at the park. When they're driving by they should look at the car in front of them not at what's to the side."

Councilman Cardinale: "I don't want to interrupt but I think we set a new record-- 5 hours and 16 minutes."

Supervisor Villella: "Okay, George, we've got to let other people talk."

George Schmelzer: "Wait a minute."

Supervisor Villella: "You can come back later."

George Schmelzer: "I waited all this time."

Supervisor Villella: "You can come back later when we're done."

George Schmelzer: "So I'm surprised you gave that acre to the museum-- shows the worse spot with a hole in it. Really that's sleazy."

Supervisor Villella: "That's what they wanted."

George Schmelzer: "A hole, come on. Who would want just a hole?"

Councilman Lull: "George, that was their choice."

Councilman Kwasna: "They chose it."

Supervisor Villella: "They wanted to be there."

George Schmelzer: "They wanted that hole in particular or just chose that spot."

Councilman Lull: "You know why, George. 25A-- Parker Road is straightened out, it's going to-- an intersection there. It will be right at the four (inaudible)."

George Schmelzer: "I don't know why they spend their money to straighten it out. People come from 25A heading east are not going to turn around and go west. Very few people to that."

Councilman Lull: "It depends on how (inaudible)."

Supervisor Villella: "Sal, did you want to speak? No. Bill? Okay."

Councilman Cardinale: "I want to thank you for sharing. Thank you."

George Schmelzer: "Anyway how about this-- "

Supervisor Villella: "Watch it. Bill's going to have you on tape."

George Schmelzer: "How about this drain pipe on Main Street? What are you doing about that? Did you clean that out yet?"

Councilman Cardinale: "That's the one on the State road, huh?"

George Schmelzer: "Did you clean that drain pipe out yet?"

Councilman Cardinale: "Is that the one on the State road? Yeah, that's the one that you've got to talk to LaValle and Acampora about. That's-- it's a State road. All we can do is write a letter. We did."

George Schmelzer: "Well, you're the Town officials-- you've got to push them."

Councilman Cardinale: "I don't want to-- "

George Schmelzer: "A little citizen like me don't amount to anything."

Councilman Cardinale: "Have you read recently-- "

Supervisor Villella: "They're afraid of you."

Councilman Cardinale: "Have you read recently about our outstanding success in getting the county to get off our road at the golf course? Now considering that, you don't want us to be dealing with the state."

George Schmelzer: "I read in the paper-- wait a minute."

Supervisor Villella: "We're not touching the green."

George Schmelzer: "They say that Riverhead Town has title. (Inaudible) has title to it, I believe. Way back they declared it a public highway and-- which is for the record, which gives the people a permanent right to use it as a road. Same with River Road, Calverton; same as Sound Avenue. Like what happened in River Road, Calverton, about the dog. I had a dog that barked at somebody's kid so the cops came and gave me a ticket. So I went-- I don't know if it was Barbara or Irene, let me see the dog ordinance. It said if a dog leaves your

property it must be either muzzled, leashed or on your command. So the town doesn't own the road. I went to court here, said I own the road, the town doesn't own the road, simple, no case. I think the town doesn't own the road but if you have on record-- "

Supervisor Villella: "We do. We do own the road."

George Schmelzer: "-- that's it and the county can't kill it."

Supervisor Villella: "Right. We do own the road."

George Schmelzer: "Either would have to abandon it, make the town buy it-- "

Supervisor Villella: "We're not going to talk-- "

George Schmelzer: "Most of these old roads are declared to be roadways. You declare a public easement but you don't own it."

Supervisor Villella: "Okay. Bill, did you want speak?"

George Schmelzer: "Do you understand? You understand, Phil, don't you?"

Councilman Cardinale: "Yes."

George Schmelzer: "Yeah."

Supervisor Villella: "Say good night. Bill wants to speak."

George Schmelzer: "Three rods or four rods?"

Councilman Cardinale: "Three and a half."

George Schmelzer: "No, don't you know? Well, what's the difference?"

Councilman Cardinale: "Please come back on January 4th. That's all-- I really-- I'm going to be here."

George Schmelzer: "You can't say that's the next century because this century doesn't end until-- "

Councilman Cardinale: "I want the other guys to enjoy him."

George Schmelzer: "-- December 31, 2000."

Supervisor Villella: "You're right."

Councilman Cardinale: "I want the new guys to enjoy you, George."

George Schmelzer: "Okay."

Supervisor Villella: "Better watch it, George. Bill's going to hit you. Go ahead, Bill."

George Schmelzer: "I better get out of the way. I missed the news."

Supervisor Villella: "You could sit in my room and watch it."

George Schmelzer: "Okay, I'll see you next time. Okay, thanks."

Councilman Cardinale: "All right. Thanks for sharing, George. I think we've cleared this room virtually."

Supervisor Villella: "The way Rolph's looking at me, I don't know if he's-- I don't know. I think-- "

William Kasperovich: "Mr. Kozakiewicz remembers the days when he has to sit up there with the Town Board until all hours on the night so it won't be anything new to him. In light of what George has been expounding, two years ago I presented to the Town Board one of my difficulties where I live is that I can't exercise my right to the ~~State Law~~ And nothing has changed."

(At this time, the tape ran out. Mr. Kasperovich spoke about the bond issue, drainage problem, Hulse Avenue.)

Meeting adjourned: 7:30 p.m.

Barbara Stanton
Town Clerk